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Official Report of the Proceedings

of the

Pennsylvania
Arbitration and Peace
Conference

HELD IN PHILADELPHIA

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FOREWORD

The Third Hague Conference, by agreement of the nations of the world, is to be held in 1913. Two years before it meets, in 1911, the powers will appoint representatives to consider a program for the conference; to make preliminary studies; and arrange for definite and intelligent consideration of important international questions, so far as can be done in advance.

The United States group of the Interparliamentary Union followed the Second Hague Conference with much interest, and, in common with other friends of peace and international arbitration, felt that greater results would have followed if the delegates to The Hague had been supported by an intelligent public opinion.

The Pennsylvania Arbitration and Peace Conference was indirectly inspired by the leading spirits of our national group of the Interparliamentary Union, who earnestly desire a series of important State conferences to be held before 1911 and 1913, "to form and provide for an effective representation of public sentiment upon the great issues, making for international friendship and world organization that should signalize the Third Hague Conference."

It was the united effort of the organizers and active workers of the Conference to keep this practical aim in view. They tried, it is believed with success, to arrange a series of meetings representing the cause of peace along the lines of strongest popular appeal, addressed by able men and women of recognized conviction, dignity and authority. The desire uppermost was that delegates should carry away clear, definite knowledge of the fundamental facts of the arbitration movement, an intelligent view of the steps to be taken to establish permanent world peace, and a

conviction that the questions involved are such as appeal to broad-minded, patriotic Americans on a basis of practical reason.

A State Peace Conference was held in Texas in 1907, although on rather different lines from those of the Pennsylvania conference. Pennsylvania leads the States in the important movement outlined above. North Carolina is already planning for her State conference. It will be the effort of the permanent committee appointed to continue the work of the Pennsylvania Conference to encourage other States to arrange for similar gatherings.

The United States group of the Interparliamentary Union, composed of our most influential Senators and Representatives in Washington, is convinced that our country is in need of education along the practical and reasonable lines indicated above; that a united public opinion will result in a definite program; that Mexico and the South American Republics are ready to second the United States, and that a united America will have a powerful influence on the governments of Europe.

The response of Pennsylvanians to the call of the conference indicates the desire to promote international arbitration and the establishment of permanent courts of justice for the nations. William Penn planned for the "Peace of Europe." It is fitting that the people of his province, grown to a mighty State, shall work for the peace of the world.

THE PENNSYLVANIA ARBITRATION AND PEACE CONFERENCE

First Session

THE PENNSYLVANIA MEETING

SATURDAY EVENING, MAY 16TH

The opening session of the Conference, designated as "The Pennsylvania Meeting," was held in Horticultural Hall, Philadelphia, on Saturday evening, May 16th, 1908, at eight o'clock. Hon. Edwin S. Stuart, Governor of Pennsylvania, presided.

In calling the meeting to order, Governor Stuart said:

"I have been asked to preside to-night at the first conference of the Pennsylvania Peace Association. It is understood that I am to make no address. There are gentlemen here present to-night who are better acquainted and informed on the subject for consideration than I am. But I have felt it my duty to be present upon such a glorious occasion as this assembly represents to-night. Whatever is done will be in the interest of peace and arbitration, which we all sincerely hope may come, and come soon."

Franklin Spencer Edmonds, Chairman of the Executive Committee, then delivered the following

ADDRESS OF WELCOME.

MR. CHAIRMAN, LADIES AND GENTLEMEN:—In the name of the General Committee which has had in charge the arrangements for this Conference, it is my special privilege to voice the welcome of the people of Philadelphia. We assemble as loyal Pennsylvanians to consider one of the large problems of the world's life. We do not expect that there will be perfect agreement concerning methods, but we do expect that there will be perfect agreement in the ideal. Practically, men are sometimes disposed to sneer

at the visionary, but after all, as Lyman Abbott said more than a generation ago in our own Independence Hall, "A visionary is a man who has eyes in his head and sees"—and to-day, in every civilized nation, men are seeing that the reign of law and justice must replace the reign of force.

We assemble at a time when the principles of international arbitration are more widely recognized than ever before. On the fifth day of this month an arbitration treaty with Japan was signed by Ambassador Takahira, who is personally to be one of the guests of this Conference, and our own Secretary of State, whose influence for arbitration has been one of the most potent elements in the development of American sentiment. On the same day the Chinese Minister declared that the awakening of China meant peace.

The traditional policy of the American Government has led to the peaceful solution of international problems wherever possible. Down to 1900 there had been fifty-seven arbitrations in which the United States was a party, while the President has acted as arbitrator with other nations in five cases, and ministers of the United States have acted as arbitrators or as umpires in seven cases. Nor is our country alone in the development of this spirit. In 1893 the British House of Commons adopted a resolution declaring its sympathy in the adjustment of all differences between the United States and British Governments by some peaceful means.

In the South American States there are now pending arbitration treaties between Peru and Bolivia, Peru and Colombia, Peru and Ecuador, Paraguay and Bolivia, and Colombia and Brazil; and the Constitution of Brazil, in Chapter 4, Article 1, states what is unquestionably the foremost recognition of the principle of arbitration which has yet obtained, viz., that the national Congress shall have exclusive power to authorize the government to declare war, where arbitration has failed or cannot take place, and to make peace.

Recognizing, therefore, that civilization is interested in the development of peaceful ideals, and that in this industrial era the practical common-sense of mankind deprecates the waste and extravagance of war; realizing that the first Hague Conference,

in 1899, the ninth anniversary of whose assembly will be celebrated next Monday, had given expression to the ideal, and that the second Hague Conference, by the tremendous body of national law, had provided a scope and opportunity for the principle of arbitration, which had previously not been contemplated,—we ask ourselves, What is the attitude of the United States toward the future?

When the third Hague Conference shall assemble and consider the weighty questions to be submitted to its delegates, how shall the cause of the American republic be counted?

This Conference has been called for the purpose of affording an opportunity to the people of Pennsylvania to consider these large questions of international relations. It is an educational conference pure and simple. We are here to learn the best thought of the nation on the subject, and to contribute and exchange such ideas and sentiments as found expression in the community which we represent. This is a democratic conference, using the term in the broadest possible significance, representing all social organizations; industrial associations, labor unions, civic leagues, and religious communities are all assembled here, in order that each may learn from the other. It is expected that from this gathering there may be developed an arbitration association, to be the organized expression of the thought of the people of Pennsylvania upon the problems of international relations.

This is the first State Convention upon international arbitration called since the great New York Convention of last year. The national leaders of the movement asked that Philadelphia might welcome this first State Conference. It was felt that nothing could be more appropriate than that the city in which William Penn had preached and practiced the doctrine of international fair play, the city in which the first of the national treaties were negotiated, should set the pace for the Conferences which it is hoped will be called during the next five years in every State in the Union.

Moreover, there is a peculiar significance in the association of international arbitration with this city. Probably the most important arbitration in the history of diplomacy was that which was held at Geneva for the settlement of the Alabama claims,

when the old practice of submitting arbitration to a sovereign was abandoned, and the new practice, which involved the creation of a judicial tribunal, was established. Through the courtesy of one of the members of our Executive Committee, Mr. Charles C. Binney, I have had placed in my hands the record of the work of Mr. Thomas Balch, a citizen of Philadelphia, for many years an honored member of the Philadelphia bar, and one of the foremost citizens of his day; and from this record it is clear that the original suggestion of arbitration of the Alabama claims came from one of our own body of citizens. Mr. Balch was in France in 1864, and was in Cherbourg at the time of the fight between the Alabama and the Kearsarge. A few days after the victory of the American boat he entertained its officers at dinner, and was much impressed with their attitude toward England. Upon further reflection and deeper acquaintance with the attitude of his countrymen toward England, it seemed clear to Mr. Balch, as well as to the leading statesmen at the time, that there was in these claims the seed of war. In considering how this strife between two great nations might be avoided, he matured the plan of a Court of Arbitration, and in November of 1864 he had a long interview with Mr. Lincoln on the subject. Quoting, however, his own notes, he said, "In speaking of England, I suggest an arbitration court as possible at a future day." Mr. Lincoln in turn added, "A very American idea, but not possible just now, as the millennium is still a long ways off"; but he added, "There is no possible risk of a quarrel with England, as we have enough on our hands; one quarrel is enough with a nation or a man at a time."

As to the proposed Court of Arbitration, he said, "Start your idea; it may make its way in time, as it is a good one."

In May of 1865 Mr. Balch wrote a letter to the *New York Tribune*, and with the powerful assistance of Horace Greeley, the subject was now brought to public attention. Seven years after, in the Treaty of Washington, his idea found complete expression. His work in this particular has been forgotten; the historians of arbitration have but a scant mention of his name; and yet the work of this Philadelphia lawyer, in suggesting the establishment of a court to decide questions of right and wrong between

the two leading Anglo-Saxon nations, was probably the initial force that has led to the success of the great movement of international arbitration.

It is then to the city of Penn, of Franklin, and of Balch that we bid you welcome.

PENNSYLVANIA'S INHERITANCE.

HENRY C. NILES.

Pennsylvanians traditionally are partisans of peace.

All Americans ought to be interested in the further development of constitutional free government, and the extension of the boundaries within which equal justice is certainly administered by impartial courts and where no warlike force whatever is permitted, except such as is necessary to enforce the laws of the whole upon every part.

This is the ideal toward which all civilization has been tending. Its complete realization will bring the reign of universal law,—which means the reign of universal peace.

At every stage of governmental evolution the same obstacles have had to be overcome and the same hoary arguments have had to be refuted.

The right of private war was surrendered with reluctance by primitive man.

He probably clung as tenaciously to his flint head spear as now do some leading citizens to concealed deadly weapons; using the same essential sophistry as the statesmen who oppose reduction of armament and would increase the machinery of war in the alleged interest of tranquillity.

The processes whereby warring individuals have been brought into communities, communities welded into nations, and they confederated, are suggestive of a persistent tendency that must eventually realize the laureate's dream of a "parliament of man."

It was and still is hard to make men agree to equality before the law.

The same is true now of governments.

The stronger savage holding a bigger stick or better-filled quiver objected to being stripped of his pre-eminence, and to

standing before the law as no more than the equal of his lesser brother. So now the governments of greater power are loath to acknowledge the equality of nations before the earth's universally operative law.

It may take long to make them bow; but they will bow as completely as have done the hottest-blooded barons with their castles and their trains.

It is an old and recurrent fallacy that war is necessary to maintain the virility of the race.

When the robber chiefs disarmed their retainers, and the discarded shields and swords became banquet-hall decorations, the battle-scarred marauders doubtless wept because, when there should be no more broken heads, there would be no more brave hearts or capacity for valorous sacrifice.

The apologist of modern militarism now contends that the courage of the race will wane unless our youth are practiced in the art of killing unknown and unseen beings at the other side of fifteen miles of hill and sea.

If personal conflict has educational value, armies and navies for that purpose are an unnecessary extravagance. It would be cheaper and more effective to enroll the whole population under forty in football teams and train them on the gridiron.

There is more personal bravery exhibited hourly all around us than is possible in a century of camp and battle.

"The Sons of Martha finger Death at their glove's end,
 When they piece and repiece the living wires:
 He rears against the gates they tend:
 They feed him hungry behind their fires.
 Early at dawn e'er men see clear,
 They stumble into his terrible stall,
 And hale him forth like a haltered steer,
 And goad and turn him till evenfall."

These things develop more nerve than sighting a gun by mathematical calculation at an invisible foe.

There are other hazards of success and risks of peace calling for still higher moral force. It requires more real courage for a public official to do his full duty in disobedience of his party bosses

or in defiance of the demagogue than to lead a forlorn hope or resist a cavalry charge.

The people will be no less brave and true if they forget fashions in man killing.

The natural man individually and in the mass abhors impartial courts.

In the beginning the strong and cunning must have chafed, as they do still, against the cold impartiality of unbiased judges.

So the nations will not easily renounce the comfortable anchor to windward of a tribunal composed, at least in part, of members subject to their influence or control.

As it is now everywhere admitted to be of the essence of injustice that a man should be judge in his own cause; so it must be insisted by the world's joint opinion and power that no nation great or small, directly or indirectly, shall be represented on the bench before whom its disputes are tried.

Unreserved submission to the law is attained by slow degrees.

At first, defence of skin and bone was vested in a tribunal backed by the aggregate power and authority of the community, probably with the determined reservation that the wild and free man should not be bound in regard to questions involving independence, integrity or vital interest.

Results slowly proved the innovation's wisdom. As individuals became accustomed to decision of their disputes by communal decree, it required fewer swords to enforce them, and more sinewy hands were at liberty to tickle the earth to laughing fruitfulness.

In proportion as the circle of the community and the jurisdiction of its courts has widened, so has broadened the prosperity and security of all within.

The suspicion, hate, and ignorance that made it difficult to bring a hundred bone-gnawing savages into obedience to the first village authority used the same arguments, no doubt, as those that delayed the union of the Saxon heptarchy; the same that made uncertain the ratification of the Constitution of the United States of America; and the same that doubt the permanency of the Hague Tribunal and the extension of its functions.

But prejudice, short-sighted greed, low ambition, narrow pro-

vincialism, though covered with the spectacular bunting of patriotism, will no more permanently halt the march of progress than in the past.

If it is wrong for an individual to be his own judge, and execute his own will by force against his neighbor; if it is of the essence of anarchy for any part, no matter how numerous, to decide upon the justice of its prejudice or hate, and enter and enforce its own decree with ready rope or brand; then all offensive war of nations is also wrong.

If it is right for every organized community to restrain by its whole force any portion, no matter how great, that attempts to take the law out of the control of the duly constituted courts and their executives, then it is right and wise, and in the necessary development of civilization, that the whole world must establish a world's permanent court of arbitrament, by which all disputes between the nations must be determined, and whose decisions will be enforced by the whole world's power, which shall also keep the whole earth's peace.

Pennsylvania ought to take an early part toward promoting this happy consummation. Equal laws, impartial justice, the Golden Rule practiced and enforced, are peculiarly Pennsylvania's inheritance. Here in the woods of Penn was the first determined and persistent attempt of the capable and strong to deal fairly and justly, under no compulsion, with the ignorant and weak.

The early glory of this State's history was in the demonstration that candor and fair dealings, even with men of lower rank and savage blood, and presumably unregenerated souls, was possible and wise; and that this, like all godliness, was very profitable.

Beneath that sweeping elm, almost within the round of whose sun-flecked shadow is the spot where we now stand, was solemnized with simple speech the great treaty that, scrupulously kept for forty years, made this colony unique in its prosperity and freedom from alarm.

The first gold-mad adventurers elsewhere, under the dishonored symbol of the cross, brought the cruelty of Christian war to the hospitable and kindly heathen.

It is little marvel that the brilliant French philosopher turned from that shameful chapter of the New World's history to this

sylvan council chamber with the epigram describing this as "the only treaty between these people and the Christians not ratified by an oath, and that was never broken."

Nor did this colony fail to furnish warnings to workers of strong-handed iniquity, in the experiences of the unworthy successors of the faith-keeping "Mignon."

Such sharp practices as the "Walking Purchase" sowed a crop of hate that eventually covered the land with burning cabins, and filled each mountain trail with settlers fleeing from the frontier, where slaughtered men and women and kidnapped children had paid the price of innocent blood and life for the grasping dishonesty and greedy lust for land of those who forsook the founder's principles for the heresy that "might makes right."

Some of the clergy, with extreme mediæval sophistry, found a lesson more satisfactory to their holy vengeance. According to their interpretation of providences, the scalplings and brutal outrages were the punishment sent by heaven because the Quakers had disobeyed the divine command, in that they did not smite and utterly destroy the heathen without covenant or mercy.

In this early history the fault of the militant Calvinists, inherited from Joshua's invaders of Canaan, from the Crusaders, and from Cromwell and his Ironsides, was that they themselves paid no regard to the Golden Rule. The fault of the Quaker was that he hesitated to compel others to obey it.

"He walked by faith and not by sight,
By love and not by law;
The presence of the wrong or right
He rather felt than saw.
He felt that wrong with wrong partakes,
That nothing stands alone,
That whoso gives the motive makes
His brother's sin his own.
And, pausing not for doubtful choice
Of evils great or small,
He listened to that inward voice,
Which called away from all."

But he often failed to see that the duty of the State, and his duty as a part of the State, was not fulfilled simply by practicing the Golden Rule himself, but that it is the highest governmental duty

to use all necessary force to compel all within the law's peace to live up to it, and to do unto other men whatsoever, if they were only just, they would that men should do to them.

They did protect the weak and compel justice, yielding to a logic that they felt, although it appeared to be in dishonor of the professed half-truth of non-resistance.

"To this peaceful asylum came those pilgrims from the Fatherland, Weak, timid, homesick, slow to understand the New World's Promise."

With these German mystics came the Scotch-Irish, who were not mystics, and who had no objections to enforcing the Golden or any other rule that they approved, by force of arms. There were also the practical yet poetic Welsh, and the chivalrous Huguenot, with the descendants of the early Swedes. The race strains merging, a human compound has been produced from which has sprung a great harvest of industry, learning, and morality, of which Pennsylvania's sons are justly proud; and there are better things before us than behind. It is a soil which ought to be most favorable to the culture of the "olive branch," with all it symbolizes.

William Penn's plan in 1693 for a European Council of Arbitrament was the seed that, carefully nurtured by the Society of Friends, is now flowering in the International Peace Congress at The Hague.

The cause of the complete establishment of God's universal justice and of his peace ought to excite a holy ardor in the land of Penn and Franklin.

In two centuries none contributed more practically toward this end than our two great ones: the forceful Quaker and the philosophic statesman. Pennsylvania, true to her traditions, has given her most conspicuous honors to her soldiers of peace.

No man of his time did more for the peace of our independence than Franklin by his tactful diplomacy; and none was more honored by the State.

In our own day the world's verdict has hailed our great President as its most illustrious and effective champion of peace.

But before the Portsmouth Treaty or the Nobel prize, Pennsylvania decorated him with its phenomenal half million majority.

Encouraged by Pennsylvania's approval, adorned with this our popular aureola, he set about his work for that rational and permanent peace that comes from individual, national, and international justice, and a square deal.

In this association we will gladly contribute our influence toward the formation of the necessary general public opinion that shall sound the truce of God to the whole world forever.

It will then be impossible for any nation or combination of nations to range the earth with bullying armies or swaggering battleships. The only armed force permitted will be the adequately-equipped police of the United States of the earth.

The writ of the World's Supreme Court of Arbitrament will run from pole to pole, and everywhere between; and its judgments be revered by all nations and all the inhabitants thereof.

The Golden Rule will be voluntarily obeyed by most; and those who disregard it, individuals, emperors, or presidents, will be coerced into obedience or punished for contempt by the *posse comitatus* of the federation of the world.

"The common-sense of most shall hold a fretful realm in awe,
And the kindly earth shall slumber, lapt in universal law."

Then will the race share in the ample inheritance of Pennsylvania.

ORGANIZED STATE WORK FOR ARBITRATION AND PEACE.

BENJAMIN F. TRUEBLOOD, LL.D.

I have been asked to say a word at the opening meeting of this Pennsylvania Peace Conference in regard to organized State work for the cause which has called us together,—what reasons there are in favor of such work, what has been done, and what lines can be usefully followed.

There are two important reasons for vigorous State work at the present time. The first of these is that the international peace movement has grown to be so commanding, and has attained of late such remarkable successes, that all possible forces should be at once organized to support and strengthen it as it enters upon

its final stages. Many otherwise well-informed people still hold aloof from the movement because they are almost totally ignorant of what has already been done, and feel that the cause is still a very doubtful one. But any one who has acquainted himself with the remarkable progress of the movement during the last twelve years, to go no further back, cannot help having the assurance that the consummation of the movement is fast coming upon us. The holding of two great governmental peace conferences within that time, the second one with representatives from practically all the nations of the world; the setting up of a permanent International Court of Arbitration, to which all the nations are now parties; the existence of more than fifty treaties of obligatory arbitration between the nations in pairs, to which new ones are being added almost weekly; the extension of obligatory arbitration to the whole class of questions involving money indemnities; the adoption at The Hague last year of the principle of a permanent world court of justice, destined soon to be organized; the laying of the foundations by the same conference of a regular periodic congress of the nations; the recognition of the principle of obligatory arbitration by all the governments represented at The Hague, even if no formal treaty was reached; the establishment of the inviolability of the international mail service, of the territory of neutrals, of unfortified coast cities, towns, and ports; the great restriction and limitation of war in various directions,—all these accomplishments make it clear that the movement for international good-will, fellowship and peace is not at its beginning, as some ignorantly suppose, but nearing its completion. The rapidity with which the end will be reached will depend very largely upon the combination and co-operation for its attainment of all the forces which utilize and direct public opinion. Whatever in this direction the States of our great Union can do, as organized units in the national life, they ought to do at once.

The second reason for organized State work in behalf of the international peace cause is that the States play a most important part in determining the international policies of the Government, and enforcing their execution. This is done especially through the State Legislatures, through whom the United States Senators

are chosen; through the influence of Congressional districts, through their representatives in Congress; through the great philanthropic, educational, social, and religious organizations of the States, etc.

Turning to what has been done through the States, there is not very much to record. Very few of the States have anything like an efficient organization, covering the entire State, for the promotion of arbitration and peace. The State societies which exist, the Connecticut Peace Society, the Rhode Island Peace Society, the Delaware Peace Society, the Pennsylvania Peace Society, the Kansas State Peace Society, the Texas State Peace Society, and the Utah Peace Society, are all as yet very limited in the scope of their operations and their membership. They consist for the most part of small groups of earnest and devoted peace workers, who have made the attempt to enlist the citizens of their States in the war against war. They have been like the voice of one crying in the wilderness of the prevailing indifference. What the newer of these societies, of Connecticut, Kansas, Texas and Utah, will do, remains as yet very problematical.

I do not mean to say that the small service rendered by these societies covers all that has been done within the limits of the States. Large influence has been exerted by individual workers, and by the members of our national American Peace Society in various States.

It is not easy to determine how strong and efficient State organizations, of the kind of which I have hinted, can be formed and maintained. What is needed in each of the forty-six States is an association affiliated, if possible, with the national American Peace Society, with a membership and financial resources large enough to push its influence into every Congressional district and every county. It ought to be strong enough in the personnel of its directors and in the reach of its membership to exercise a commanding influence through the State executive and the State Legislature on the relations of the national Government to other countries, and to bring to the support of its ideals and practical proposals the educational institutions, the religious organizations, the commercial and industrial bodies, the philanthropic associations, etc., of the State.

What may be accomplished through State channels is well illustrated by what took place in Massachusetts five years ago. The Legislature of the State was memorialized by the American Peace Society and a group of influential individuals at the same time, and asked to petition the Congress of the United States to authorize the President to invite the other nations to join with ours in the establishment of a permanent advisory Congress of the nations. This proposal was adopted by the State Legislature without a dissenting vote. Because of this action the subject was taken up by an influential group of workers here in Philadelphia, and afterwards by the powerful Interparliamentary Union, the International Peace Congress, and several National Peace Congresses and other influential organizations. The result has been that in less than five years the foundations of such a periodic Congress of the Nations were well laid at the recent Hague Conference, whose meetings are hereafter to be without doubt as regular as the meetings of our own National Congress. If one State through its legislature can accomplish so important a result as that, what might not a combination of the forty-six States do?

The principal advantage at the present time of securing the co-operation of all the States of the Union in behalf of the great cause of world peace is not so much to influence our State Department, which is already quite abreast, if not considerable in advance, of the general public, but to bring the whole weight of the nation to bear to make our Government as powerful and directive as possible in its negotiations with the other Powers, and in the international Conferences in which it participates. It was the power of the people behind our delegations in the two Hague Conferences which, though expressed in an imperfect and fragmentary way, did more than any other one thing to make the two Conferences as successful as they were. If on the eve of these two Conferences every State Legislature and every great organization of the people of the State had uttered its voice at Washington in favor of the most advanced steps at The Hague, it can scarcely be doubted that the influence of this united voice of the nation, expressed in these various ways, would have induced the Governments which prevented the adoption of some of the most important proposals made, to go much farther than they did.

The organization of the work in this manner in the States will be no easy one to carry out. We may still have to proceed as we have done in the past in a more imperfect and fragmentary way. But if one great State like Pennsylvania, the Keystone State of the Union, as the result of a great Congress like that now being held, should succeed in creating in even moderate perfection such an organization as I have hinted at, and bring the whole moral and political power of the State to bear in behalf of the most advanced international measures, the Third Hague Conference, to be held some seven years hence, would probably give us the completion of the organization of the world, to such a degree, at any rate, as would make universal and perpetual peace an assured reality for the future generations of the world.

One thing, at any rate, can be accomplished. A State Arbitration and Peace Congress like this can be held between now and 1915 in every State of the Union. At the close of the great National Peace Congress held in New York last spring, a single gentleman, who had attended the Congress from Texas, went home determined that his State should be brought into the movement. The result was the holding at Baylor University, Waco, Texas, in November last, of the Texas State Peace Congress, which was participated in by a number of prominent men from leading cities, and which for the first time in any large way brought the movement to the knowledge of the people of that great Southwestern State. Out of that Congress has come a Texas State Peace Society, connected with which are a number of the most prominent public men of the State. There ought to be at least one man in every State of the Union who can do for his State in this direction what Dr. S. P. Brooks, president of Baylor University, did for Texas, and what a group of tried and true friends of the cause here in the city of William Penn have done so splendidly for Pennsylvania.

Dr. Nathan C. Schaeffer, State Superintendent of Public Instruction of Pennsylvania, who was to address the Conference on the subject, "Why Educators Are Interested in Peace," was detained in a distant part of the State by a railway accident, and President Joseph Swain, of Swarthmore College, read by request a paper prepared for the coming conference at Lake Mohonk on

COLLEGE WORK FOR THE PROMOTION OF PEACE.

PRESIDENT JOSEPH SWAIN.

The thought has come to me that should every college president in the world ask the question, "*What has the institution of which I am president done, what is it doing, and what may it legitimately do, to promote the peace of the world?*" he would find it possible for his institution to do much more in the future in this direction than it has done hitherto, without in any way stepping out of its proper sphere. With this thought in mind, I have endeavored to answer, in a brief and general way, the question for Swarthmore College.

Swarthmore is one of the group of small colleges known as Friends' Colleges. It has naturally a large number of students who come from the homes of Friends. In addition, there are many others who come from Quaker stock. All of these have grown up with a belief in the principles of peace held by the Society of Friends from the time of its foundation by George Fox. Thus we may truly say that the peace ideals have been held and advocated by the college authorities.

The late Edward H. Magill, for twenty years President of Swarthmore, and in some way connected with its work from the beginning until the time of his death last winter, was an ardent advocate of peace principles, to which he gave expression both within the college and elsewhere. His last address to the student body at the beginning of this college year, was a review of the progress of the peace movement.

The professor of philosophy and the history of religion has as great a concern for the promotion of peace as had Dr. Magill. He is chairman of the Peace Section of the Philanthropic Committee of Philadelphia Yearly Meeting, and writes and speaks much upon this subject.

The professor of history has spent the past year in study abroad. The greater part of his time was used in the study of the peace movement from the standpoint of the two Hague Conferences. He was present at The Hague during all of the last Conference, and the results of his observations and study will be published soon in book form.

The lecturer in law is a prominent leader in reform movements in Philadelphia, and is chairman and leader of this great peace conference.

These cases will serve to illustrate the interest and activity of some of the members of the faculty at the present time in the peace movement.

President Thwing very tersely and attractively set forth two fundamental characteristics which should be possessed by the college graduate, namely, self-restraint and comprehensiveness of ideals. There is perhaps nothing in the whole range of ideals for which education stands that can be placed above the importance of self-control. The person who has become master of his passions, his prejudices and all his faculties, is an educated man, no matter whether he has ever spent a day in school or not. "Better is he that ruleth his own spirit than he that taketh a city." Such a person is a walking delegate in the interests of peace, even if he never attended a peace conference nor spoke in behalf of international arbitration. Institutions of higher learning, in training men and women in self-control are making one very important step in the direction desired. The graduate of any institution who has comprehensive ideals respects the views of others. He realizes more fully the meaning of universal brotherhood. He is better able to put himself in the place of other men or other nations and thus has an attitude of mind favorable to arbitration.

Perhaps the dominant feature in higher education to-day is what is known as the scientific spirit. The student finds this spirit, not only in the laboratory and in the class-room, with the teachers of science, but in the class-rooms of all other teachers, as it permeates all learning to-day. The scientific spirit assumes that there is such a thing as truth; that it is the duty of every human being to do his best to search out the truth; that he approach every problem with an open mind; that he be not satisfied short of the whole truth and nothing but the truth, and that knowing the truth he adjust his life to it. "The scientific habit of mind is not alone the power to see straight and reason right. It has quite as much power to wait, to sacrifice, to free one's self from passion, prejudice, and fear. A greater gain to the world perhaps than all the growth of scientific knowledge is the growth

of the scientific spirit with its courage and serenity, its discipline of conscience, its intellectual morality and its habitual response to any disclosure of the truth." (Peabody.)

The student who goes out of college imbued with this scientific spirit does not draw his lines between places and nations, but between truth and error. This tells for the cause of international peace.

There are numerous subjects taught in the college which prepare the way to an interest in the promotion of the purposes of this Peace Conference by the students and the general public. In a large way every subject taught in college contributes to this end by creating the scientific spirit and by developing a more profound respect for the exact truth and a knowledge of the absolute futility in the end of everything not based upon truth. There are several subjects, however, which especially lead to a better knowledge of that form of truth which demands that every man and every nation shall cultivate sentiments and habits of justice. President Rhee pointed out last year the importance of the study of law for this purpose. We have had in the past few years courses in law presented by Franklin Spencer Edmonds, of Philadelphia, referred to above. These courses have been very helpful. In general the students taking these courses do not expect to be lawyers. They take this work for business or for culture reasons. Concrete examples of the methods of justice as found in the history of the law and the realization that the common law has grown up as a series of rules through a thousand years of experience of the people expressing their ideals of justice, are more convincing to a student than any formal teachings of ethics, however excellent.

Lectures on international law were given at Swarthmore last year by Justice William P. Potter of the Supreme Court of Pennsylvania (a member of the American Peace Society). He presented the subject both from the standpoint of war and from the standpoint of peace, in such a manner that the students drew their own conclusions that peace is much more rational and much more to be desired than war. And so, in an indirect way, a new argument for international arbitration was given them.

Courses in history and political science may be made effective

aids in placing in the possession of students material for the promotion of peace. For example, this year at Swarthmore one of the faculty gave a course in American history from the year of discovery to the end of the Revolution. Although the period included two great wars, the military history was but briefly studied. To the soldier, the movements of troops, the details of battle, the causes of defeat or success in particular battles, are all military questions of great significance, but the civilian should know rather what were the character, the spirit, and the resources of the two combatants, and why one succeeded and one failed. Courses in college history should train the student's judgment to lead him to see both sides of a question and to think. Causes and effects are much more important than events. The students have learned from such courses the steps in the rise of American nationality and the growth of the nation out of scattered and inharmonious colonies as well as the extension of popular government over the area of the then United States of America. This end is vastly more to be desired and much better for the student, not only in the interest of peace, but in every way. It suggests to his mind that the study of battles and of military heroes is not the chief purpose of history. The colleges and universities are doing much in the interest of peace by the new and better methods of teaching history.

Constitutional history is a good example of a college study which furnishes excellent material for incidentally teaching the practicability of the ideals held by peace advocates. The three departments of our Government furnish examples of evolution from a non-centralized to a centralized power. The large powers of the President of the United States to-day are in marked contrast to the powers of the committee system in Colonial days. The duties of the Continental Congress were only advisory, while Congress to-day has definite control of certain national affairs. In like manner the present power of the Supreme Court is the result of gradual development. It is but a logical step, therefore, in the evolution in education that will bring the world to a centralized power in certain definite things, as our civilization progresses and gives us an international supreme court, with power to settle all international differences.

"The most pressing need of the peace movement to-day," says Dr. Hull, professor of history in Swarthmore College, "is an *inductive argument* which shall convince those of our people who are not seers and prophets, and a *positive program* which shall replace in the popular mind Bismarck's 'barrack philosophy' and Roosevelt's 'warship philosophy' of peace. This inductive argument and positive program can be most readily and surely derived from the history of the two Conferences at The Hague. I therefore believe it to be the privilege and the duty of our colleges and universities to dig out of the thousands of pages of the official French records of these Conferences these two essential factors in the promotion of peace, and to start them on their mission of molding public opinion to the acceptance of arbitration and the sanction of arbitral awards."

Through the study of political science aggressive warfare is seen to be an unnecessary evil, and numerous ways are discovered by which the evils of war are lessened.

There are innumerable methods by which war may be averted. The concrete illustrations of what has been done by arbitration in this direction at once appeal to the intelligence of the average student. There is no other subject in college that should have more influence as an aid in attaining the ends mentioned than the study of biblical literature. We have a course in the study of the Bible which is required of all students at Swarthmore. Both the truths of Christianity and the knowledge of the evolution of moral ideals from the earlier to modern civilization set forth in the scriptures, interpreted in the free air of the college, under the guidance of an inspiring teacher and biblical scholar, should also prepare the way for permanent peace. The study of ethics may also be made of great value in this direction.

Student activities of the college and university under proper direction are the means for promoting ideals of justice. There is no better way for the young person to secure a knowledge of human nature than the practice of athletics. Every game should be a lesson in fair play. The value of the absolute acceptance of the decision of an umpire was pointed out in this Conference last year. I wish here to speak especially of student government.

We have at Swarthmore what is called a co-operative form

of government. The governing power is a committee of students and a committee of the faculty. The student committee has advisory powers only, but it is very seldom that their advice is not followed. The student committee is chosen from the members of the junior and senior classes. All student matters are discussed in mass meeting of the students, the president of the college presiding. We have very few rules and regulations. Everything is discussed at these meetings from fundamental principles of what is right and just. It is understood that the president of the college has no more say in these meetings than any one else. Each student has the right to give his opinions, whatever they may be. All moral questions arising out of matters of discipline or other subjects in which the students are interested are discussed from fundamental principles. It is not necessary to require attendance, and no record of attendance is kept, as the object of the meetings is of concern to all. I count the proceedings of these meetings as excellent preparation for citizenship and in the interest of the ideals of this Conference.

This line of thought has suggested to me the desirability of a meeting of students at Swarthmore and elsewhere, where some such general statement might be made as I have made here, followed by ten-minute speeches from about a half dozen departments of the college. For example, a talk from the professor of history, illustrated by some historical events; the bearing of the study of history on the promotion of international peace. In a similar manner talks from the professor of biblical literature, the professor of political economy and the lecturer on law. Such a meeting would give the students a general notion of how the studies of the college have a bearing on the subject of our discussion here, and would furnish material for them to use for the same purposes.

In all this it needs to be said that while the college may aid in a thousand ways in the movements for international peace, these results should be attained as an incidental thing in the great work of the teachings of truth and in the development of the character of the students. There is nothing to be gained and much to be lost by making the college an agent for the propaganda of any one good thing at the expense of all good things. We must train

young men and young women for a life of service. Given a faculty that possesses high ideals and supplied with such material as has been suggested, the average student will go out into the world ready to aid in public life, in public meetings, through the press and in a thousand ways the great cause of international peace.

Second Session

THE WOMEN'S MEETING

MONDAY MORNING, MAY 18TH

The second session of the Conference, held in Horticultural Hall on Monday morning, was designated as the Women's Meeting, its object being "to consider how the great basic institutions of society, of which women are a vital part, stand related to the peace movement."

Mrs. Sara Yorke Stevenson, of Philadelphia, was chairman.

In opening the meeting, Mrs. Stevenson said:

"It is with a deep appreciation of the honor conferred upon me that in the name of the important women's organizations of whom the women's committee is composed I greet you and welcome you here this morning. I also wish to extend our thanks to the executive of this conference for its recognition of women's vital interest in the questions of arbitration and peace.

"While women are commonly given no voice in the matter of deciding whether or not war shall be declared, they have far more at stake than men have in war. It is little to risk one's life in a cause deemed worthy. Indeed, many risk their lives daily in travel, fun, or sport, without giving the matter any serious consideration. It is quite another thing, however, for a woman to see those whom she loves sent far away to be placed in jeopardy, or to have the bread-winner taken off, leaving her alone to face the unknown, full of dark anxieties, increased material burdens—in fact, virtually a wrecked home.

"Women bore these things courageously in former times, because they were a part of the conditions under which they lived. Nations were isolated by distance and difficult intercourse; the struggle for existence among States bred competition. Each country was a microcosm, living and fighting for itself—and woe to the vanquished!

"It is not so to-day, when time and distance have been annihilated. Financial and industrial interests are now united. The

solidarity of nations is such that the financial stress of one affects all.

"The most important milestone in the modern march of progress will ever remain the recent treaty of Berne, whereby fourteen nations agreed to protect their citizens by prohibiting the work of women in factories at night. This treaty, as you know, sprang from a prior agreement entered into by France and Italy to much the same effect, and granting the French and Italian laborers in both countries equal treatment in respect of payment of pensions and sick and accident benefits.

"The world has traveled far since the time when treaties were entered into by nations to bind one another to mutual offensive and defensive assistance in war, and to other obligations of which war was the pivotal point.

"Nothing could so clearly prove the wane of militarism, nothing could so plainly usher in the reign of industrialism. Well may Miss Jane Addams emphasize the latter's triumph over the former.

"For in the palmy days of militarism, the chronicler Froissart will tell you that the lives of common foot soldiers were held in such light esteem, that placed as they were in the front ranks of the army they might, as at Crecy, be run down by the noble armored knights on their own side in a charge upon the enemy. War is an ugly thing at best. It may be true that, as Ruskin says, we admire the soldier not because he goes out to slay, but because he goes out to be slain. But even in its noblest aspect, war, in ultimate analysis, is made up of cruel selfishness. And if human egoism still remains entrenched in the world of affairs, at least we hope to see it relieved of its most brutal expression.

"Women in the last twenty-five years have grown in mentality. They have studied economics, and realize what militarism costs the taxpayer. They also have found out the folly of bearing and raising sons for the purpose of furnishing military governments with what the French soldier, with sinister wit, calls himself, '*chair a canon*,' that is, gunflesh.

"And to-day, ladies and gentlemen, educated women are wielding an enormous influence. They have a greater share than, at first sight, would appear—not only in the forming of that

ephemeral thing public opinion, but in the strengthening of what Felix Adler calls 'the public reason' because they are fully organized, and because they stand together with a loyalty which, it seems to me, is quite unprecedented in the history of the civilized world. It were a mistake to think, as some do, that women have pushed themselves to the front ranks of modern life. They have been pushed there by industrialism, just as formerly they were pushed backward by militarism. All that they have done has been, by education, to try and rise to the occasion.

"It is my belief that what women to-day decide to be right will in the future be regarded as right. This is not said in mere boastful or flattering assertion, but because I think that each and all should feel a deep sense of responsibility. The fact of woman's influence has recently been officially recognized, as it were, by the Federal Government, when the Forestry Bureau at Washington engaged the services of an expert lecturer on forestry to speak to the women's clubs of the country; this being regarded as the most effective medium for reaching the people. Women's strength lies, not only in the fact that they stand shoulder to shoulder, and through close organization and friendliness in work they reach down to the mass of the people, but because the education of the children of the country is in their hands. As Emerson says, 'her organic office in the world is education.' This function, even President Charles Eliot has allowed her without contest. It is, therefore, to you—the mothers and teachers of the coming generation—that we must chiefly look for the creation in every child's heart of the world-sentiment that will make for peace.

"I wish to believe that with the twentieth century we have entered upon an era not only of industrialism but of peace, in the promotion of which women will have an increasing share, and in which her voice will be increasingly heard in the measure of her increasing sense of responsibility. We have assembled this morning to consider how the great basic institutions of society, of which women are a vital part, stand related to the peace movement, and it gives me much pleasure to introduce Mrs. May Wright Sewall, President of the International Council of Women and Chairman of its Committee on Peace and Arbitration."

WOMEN'S ORGANIZED WORK FOR PEACE.

MRS. MAY WRIGHT SEWALL.

Madam President, Ladies on the Platform, Ladies and Gentlemen, and very particularly, Gentlemen and Ladies of the Press: (Applause.) I have first to say that I no longer occupy the position of president of the International Council, but am its honorary president, Lady Aberdeen being its president; that I no longer occupy the position of president of the National Council, but am also its honorary president, Mrs. Mary Wood Swift, of San Francisco, being its president. Having now abated my honors to their rightful proportions, let me say that I value both the presidency of the National and International Council, and the great privilege to have held them, but chiefly as chairman of the International Peace and Arbitration Committee, or rather chairman of the National Council, to which I probably come through service in the other. Having thus set myself humbly right before you, I wish to make my sister speakers on the platform comfortable. I will, therefore, say that I have been assigned thirty minutes, and I shall stop at the thirtieth minute, the first being now.

Although my interest in peace quite antedates the organization of the National Council of the Women of the United States, inasmuch as I am here in this semi-official capacity, it is well enough to relate in your minds the National Council of Women to this movement. The second committee organized in the National Council of Women of the United States was its Peace and Arbitration Committee. It was not, however, until 1893, or rather in the preparations for the World's Congress to be held in Chicago in 1893, the preparations for which were placed in the hands of the National Council of Women of the United States, that our work took on what might be called the international character. Already the International Council of Women was organized, but it was then, what all things must be in their incipency, a dream, a divine dream, that had been transferred from the heart to paper. Let us never speak scornfully of paper. It is the most enduring thing in the world. Paper and porcelain, parchment and porcelain. the two most fragile creations of man's

ingenuity, hold the records from the end of prehistoric time until to-day.

In 1893, as there came to us in Chicago representatives of thirty-two different nationalities, it was borne in on the hearts of the National Council that we could most easily find a common interest in this work for peace and arbitration. Not, however, until the first executive session of the National Council, which was held in Nashville, Tenn., in connection with the exposition there in the autumn of 1896, did we formally send out to the women of the world a petition, quite irrespective of whether they had already formed national councils or not (for no other country but our own and Canada had as yet formed National Councils), but we sent out these threads of prayer, with returns back to ourselves, that we might know whether we could interest the women of the world in this subject.

Therefore it is not surprising that when in August, 1898, that wonderful, voluminous document, of divine inspiration without question, which came from the pen of the Czar, summoning the attention of the world to this question, and summoning its nations to a conference, it is not surprising that the women of the National Council felt and gave ready response to that cry.

We knew ourselves helpless in the world's sense of that word. We knew that we had neither armies nor navies to push our ideas, but if the Czar, most autocratic of rulers, the foundations of whose throne were supported by force, if he had the courage to dream, what should limit the visions of the daughters of a republic?

Therefore at the first executive session of the National Council held after the Czar's call had been given to the world, in the February following, we took counsel of our hearts, of our courage and our faith, and sent a letter to the Czar. We sent it through dignified channels. A visit to the President of the United States secured his interest, and a visit to his great Secretary of State secured his, and we were therefore able to transmit our letter of gratitude and continuous petition through our Minister at the court of the Czar. The mere thought that there was to be this congress in The Hague gave new impetus to our hopes, and gave some practical form to our methods.

It was not, however, after all, the women of the Council of the United States that made the first practical move for the practical union of the women of the world. It was one isolated, individual German woman, not a very practical woman, perhaps, but who is going to deny the practicality of dreams? It was Madam Salenka who organized, first in her mind and then again on paper, and then committed the paper to the mail service of the world, and sent out to the women of the world an appeal to hold a demonstration on the 18th of May, 1899, when the first conference was to convene at The Hague.

Taking up her appeal, the National Council of Women of the United States did organize such a demonstration. Therefore we may feel that from the beginning we were an auxiliary of the great powers at The Hague. That we were not to the degree that we should have been, goes without question; but we saw that the organized power of womanhood had really, although not nominally, been called into the service through this attitude of great monarchical powers. We saw (for questions of international relationship strengthened every conviction that had ever been born in our hearts) that after all there will dawn a day when all force excepting spiritual force will crumble into ashes. There will dawn a day when all power, excepting that power that flows into the heart of man from the heart of God will be of prehistoric date, so remote will it be from the interests that our perfected humanity will cherish and foster and secure.

Now with that faith, year after year, under my own presidency, and later under the presidency of my successors, we have endeavored to use the organized forces in the council for the promotion of this work; and when we came together in our first real qui-quinniel session (I say real because the first one, when other nations sent delegates, had been held simultaneously with the great World's Congress of Women in Chicago, 1893), even yet there was no National Council of Women except in the United States; but under the presidency of Lady Aberdeen so much force had been received at the Chicago convention, that between 1893 and 1898 seven National Councils had been organized, first our own of course, then the National Council of Canada, of Germany, of New South Wales, of Sweden, of Denmark, and I think

of New Zealand; so at that first real executive session of the International Council we had already the sympathy of the women of those countries as they were represented there, and we found there was one propaganda upon which we could agree, and we all wished to unite our force for the promotion of national peace and arbitration. We sent out a resolution to this effect to each of the National Councils organized, and when we met in London in 1899 we were ready to adopt a propaganda for peace and arbitration as the one propaganda upon which the then nine councils of women could unite.

It had been a great question among us when this proposition to form an international council of women was first suggested, "How can the women of different countries want the same thing? National interests are different, races are different. Can we unite in a common desire?"

In response to such cynical questions our reply was always the same: "The only things that any two or any two million human beings want is to get acquainted with each other; and if we can do nothing else through our international council than advance acquaintanceship with one another and their reciprocal prejudices, acquaintanceship with their incipient enmities, which they suppose to be natural, but which are the most artificial of all human products, we shall have done much."

We found, as I have told you, that in 1899 we had gotten so far that we could throw out our banner of peace to the world. We could send a cablegram over to The Hague Conference, and say, "In so far as we have the power to adopt your undertakings, we, the organized womanhood of now eleven countries, stand ready to serve this cause of peace and international arbitration."

Time moved on, and the third quinquennial of the International Council was convened at Berlin in 1904. We were then nineteen nations united, for within the five intervening years national councils had been organized in eight other countries. We came to Berlin representing nineteen nations, and representing between six and seven millions of women of these nineteen nations. We were to hold our third quinquennial at the very heart of a great empire, at the heart of a great military empire; and again cynical critics said, "What will you do about your own

propaganda? You stand for nothing but peace and national arbitration, and you expect Germany to entertain you and give welcome to your sentiments. Why," said many of my friends to me, "you will be shut up before you have been in Berlin twenty-four hours. If you undertake to give your presidential address, the police will have no right to let you go forward in the meeting."

How we misrepresent each other! How our narrowness and prejudice and ignorance make one another, the world over, stand on low planes, when we are really ready to climb the heights! We went to Berlin. Never had there been such preparation made for the coming of women to other countries. Hospitality from every plane of life. From the school-houses of the people to the imperial palace, all were opened to us; and on the one night that was given exclusively over to the discussion of peace and international arbitration the great Philharmonic Hall was so crowded that the police of Berlin made no effort whatever to perform what was construed to be their duty, to keep the aisles clear, but on the contrary they helped women to get places to stand, and carried the speakers over the heads of the people.

The courtyard about the building was full, for the most part, of whom? Who should have been there? The wives and the mothers and sweethearts of Germany's soldiers. They knew what peace meant; they knew what international arbitration would mean. It would mean the lives of their sons, their lovers, their fathers, their husbands, left in the homes. They understood enough of it, at least, to be there in full force. The courtyard was filled with swaying hundreds of working women, and, as I said before, over the heads of the people the policemen carried the speakers of the evening to the platform. One may say what they please about the brutality of the German policeman, but I say he is made of the same stuff as the American newspaper man, of the same stuff that all other men are made, priests and pastors and teachers of the people.

It is true that of one blood created He all the people of the earth, and there was held that meeting, and there was given such impetus to the moral force of the Council of Women, and to the intellectual and moral courage of the Council of Women,

that thereafter to the one propaganda that we had adopted we could add two more that are twins of it. One was the propaganda for what dear Frances Willard use to call "the white life for two." Of the white life for two the soldier has but a blurred conception. That is not a dream that comes in camps and fields and on the march. But it is a dream that is to mitigate and has already mitigated march and camp and field.

And what arrogance have women not been guilty of! I shrink with abasement when I think how we sometimes talk about women being the repository of the moral force of the universe, and how superior she is spiritually, and how, therefore, we can expect of her a purity which we cannot expect of men. Never can there be either simple and honest womanhood nor pure manhood nurtured under that false idea. Does one for a moment think that Moses was less pure than Miriam? Does one think for a moment that Jesus was less pure in His humanity, in His manhood, than Mary that gave Him human birth? If brave at all, we must both be brave, and if pure at all, we must both be pure. And that was what by unanimous vote all the nineteen councils added.

The third propaganda was like unto it, because without it these dreams can never be crystallized. The third was our councils should go forth (there are already twenty-five, six more having come into the national band within these last four years), that we should go before all these nations and demand also that no longer anywhere should there be any distinction concerning the political rights or political privileges that was based on sex. We do not demand everywhere suffrage for women, for in countries where it is not exercised by men we should not demand it for women, nor do we desire it, but the abolition of discrimination based on sex was the propaganda which was voted, and it is upon the basis of those three propositions, peace among the nations maintained by arbitration, secured by a humanity that recognizes physical and moral purity as an indispensable condition of that peace, created and sustained by political life everywhere, in which no discrimination of power and privilege is based upon sex, and it for the dissemination of our principles, for the cultivation of these International Council stands.

Has any one ever done what we did in this year 1908? It was in the year 1888 that these councils were formed on paper. We are not yet of age by the American voting standard. Is it to be expected that we should already have secured maturity for these great causes, in twenty years? No, verily; but what we have secured is true of all the organizations that are gathered into the councils of the different countries. We have secured an agency, we have secured an instrument, we have secured a means for the dissemination of our principles, for the cultivation of the doctrines, and for the hard work that must be done.

Now from my point of view this work ought to be done here at first, because it is in the United States of America, to a degree that it is nowhere else in the world, that the nations of the world are brought together and united in one citizenship. We must learn now a new definition for "we," and a new definition for "them," and for "they." I think there is nothing more ridiculous and laughable than the way in which we here in America still say "we," meaning merely we who are the immediate descendants of Anglo-Saxon ancestors. I wish you would all think for a moment what kind of a country we should have if we were all that. Suppose no one else had ever come here except the descendants from the English, how we could have forgotten the Spanish and the French and the Swedes and the Finns I really don't know. It seems as though our ears had been filled with wax to keep out the history even of all other nations in our country. To have commenced talking about all the races of the people who came here as foreigners, and feeling ourselves that we who were to make this country, and to whom it was to belong—if it ever were plausible, it ceased to be so long before I as a little child began to think, and began to think with shame, of how the prettiest girls in the little country school, with their black hair and blue eyes, were by some called "Paddies." The only Irishmen whose lives I knew anything about were Tom Moore and Daniel O'Connell, the great orator, and these little girls always made me think of them. I thought all the boys ought to be called Tom or Daniel, never "Paddy," in derision. And the other girls, with their fair complexions, light hair, and blue eyes, all called foreigners without the slightest distinction. If they had not come from the

Green Isle they were called "Dutch." I think a great deal of my Anglo-Saxon blood, but I think a great deal more of it because there is quite a little Celt in it from the Welch, and some Dutch, and some real German in it; because there is some French in it, and some Italian; and that is what is to make our country the one in which we shall feel the bonds of brotherhood. Perhaps there are in this audience others who can also trace their ancestry as I have done.

Let us realize that, so far as we in this country are concerned, there can never be a war anywhere in the world that is not for us a fratricidal war. We cannot lift our hands against a nation without lifting our hands in suicide against ourselves. No nation can lift a hand against us that is not guilty of fratricide. Now we have always thought, not merely the dreamers and sentimentalists, but statesmen and philosophers, when they have been making arguments to distinguish wars between nations, have always regarded civil war with peculiar horror; and the fact that we are a nation that has survived a civil war has not made civil war less horrible, but more so. We know its awfulness. We know its terribleness. But always people have thought that kind of a war horrible.

Now we have been told that there are two hundred and thirty organizations in Pennsylvania represented here to-day. I hope they will not be allowed to go away until their delegates have been formed into a permanent committee for permanent action. We must dream first, but we may not always dream. We must feel first, but unless the feeling goes out in doing, it is of little avail in this world.

Now it is true that under the industrial system both leisure and industry have united to organize the women of the world. Women of leisure have organized for pleasure, for enjoyment and for helpfulness to others, and the women who labor are organized to secure something like justice in the various occupations they pursue. We have an organized womanhood in our own country. The women of what we call the leisure class would be an instrument of service to the women of the laboring class. Many of the women of the leisure class have taken upon themselves such burdens of service that no eight-hour or ten-hour or twelve or four-

teen-hour or sixteen-hour law can protect them; but the joy of their labor is that it is voluntary. It is under this thought of labor, of consciousness of sisterhood, that I am looking at the women of the world. I am look at one who is not only my sister but myself. Now that is the kind of consciousness we must grow into; and with that consciousness, with the acceptance of its importance, we can use it effectively by turning our organizations into channels into which run the family life. We can bring up our children in the spirit of peace, of loving one another, or never holding a "foreigner" from any country in the world in derision. If it is done by any one we should remind him that his great-grandfather was a foreigner.

But I have overstepped my time. I thank you for your attention.

INDUSTRY THE PEACEMAKER.

MRS. MAUDE NATHAN.

In early days rulers of nations deliberately carried on wars in order to force their victims into commercial relations, and in order to have their industries carried on by the captive slaves. But to-day it is conceded that the best method of securing international commercial relations is to have the powers maintain a basis of friendly intercourse.

Formerly war left in its trail a conqueror and the conquered. But to-day it is difficult to draw the line between victor and vanquished. The end is usually a compromise, and the only distinction is between the exhausted and the semi-exhausted, the injured and the worse injured.

When the property of the vanquished is destroyed, the loss may fall on the insurance companies, banks and bondholders of the victorious. A writer in one of our magazines, not long ago, described an imaginary bombardment of New York by the German Empire. The suggestion was of German bankers crying out at home as every cannon ball knocked a hole in the dividends of their corporations. German companies are heavily interested in New York real estate; Germans invest heavily in American stocks. Nowadays, when any nation goes to war, it issues bonds to raise necessary funds, and these bonds are subscribed for largely by peo-

ple of other countries, and in this way these people are at once directly interested in every catastrophe of the war. When merchant ships are sunk at sea, the loss falls upon the underwriters of whatsoever land. War to-day is too costly, not only to the conquered, but to the conqueror as well. In destroying his enemies, he destroys, at least in part, the source of his own wealth.

One of the chief deterrents of war, then, is that very spirit of commercialism which is so often decried and the shame of which is hurled with special opprobrium against our own nation. War is a menace to the stability of industry, and the captains of industry who stand guard at the gates use their shields to protect us from the flashing swords of the destroying enemy.

Our men of business are our heroes. They are one and all opposed to war. They do not wish interference with their particular industry. If exports are lessened, if laborers are summoned to arms, if money is deflected from the usual channels, our leaders' profits decrease. Over and beyond this selfish desire to defend their own property, there is another sentiment which has been gradually evolved from having international commercial relations. Ties have been formed through business interests in various countries; people of different languages, different habits, different temperaments and tastes have been brought into personal contact and former prejudices have been overcome, former antagonisms wiped out, former unreasoning hatred turned to sympathy.

Our prejudices always spring from ignorance, from lack of understanding. If we strive to understand another nation's point of view, we soon find that while we may not agree with its people, we can sympathize with them and can find much to admire. The old idea that one might ethically be honest and true to one's own clan or country, and be justified in deceiving and cheating foreigners, has exploded, and to-day we realize that we have no right to exploit people merely because they are not of our kin.

One of the best object lessons of this widening brotherhood is furnished by our social settlements, which are often surrounded by people of a dozen different nationalities, who share the benefits in harmony and develop a mutual respect. When the Hull House Museum was established in Chicago, to show the history of industries in different countries, it was found to be a most effective

instrument in the broadening of the sympathies of the working classes. Emigrants of each nationality had previously ignored not only the work, but the lives, of their neighbors. Now, through interest in the various methods of work, they advanced to a wider humanitarian outlook. In this, at least, we of America can without suspicion of self-aggrandizement, claim to stand in the forefront of the world movement of the future. Upon our shores the diverse nations of the past are being welded into one great people.

We grow to realize fully the necessity for more industrial education in our schools. Side by side with that we should teach the histories of the industries, and, through the crafts and arts, bring the descendants of the nations into closer touch with one another. Artists of all races mingle and find common ground for sympathy and congeniality; yet how often do we find that the people of one nation will not work at trade or at unskilled labor with people of another land, merely because through ignorance or prejudice they think there can be no sympathy, no mutual understanding.

Let us exalt constructive industry and make it take the place that destructive war has held for so many centuries. Instead of teaching the children in the schools all about the men who fought successful battles, who helped to lay waste and destroy villages and towns and who helped to wound and kill their fellow men, give them instead the history of the patient toil which has built up our towns and villages; give them the biographies of our givers and doers, our benefactors and builders, those who have planned model homes and garden cities, have founded colleges and libraries. Tell our scholars of the great physicians who have saved lives, often at the sacrifice of their own health, of the police and firemen who have protected homes and property and have met with death in the performance of their duty.

Jane Addams, in her address before the Peace Congress held in New York last year, pointed out that "when structural iron-workers build a bridge, almost exactly the same percentage of them are wounded and killed as of men who engage in battle, but as yet we utterly fail to regard them as an example of industrial heroism, and they fall not as heroes, but as victims." The great tunnel

under the Hudson River, which brings Philadelphia still nearer to New York than heretofore, was, in the course of its construction, the cause of many a workman's death. These men met their fate stoically, heroically, and the danger of the work did not deter others from continuing the toil. They died—not on a battlefield, because of some king's ambition, but in the performance of their duty,—in order to provide bread and shelter for their families, and at the same time in order to help construct something which would be of great utility to generations to come and would help to advance the march of progress. Our education must teach us to know these heroes and to aid them in their heroism.

The Consumers' League may prove one of the best possible implements of this new illuminating education which will make for peace. The Consumers' League began in an humble way to try to understand the conditions surrounding the daily lives of the people who work for us—who serve us by providing for all our material wants. We learned slowly perhaps, but surely, that the shop girl who waits on us, the cash boy or girl who gets our change for us, the boy on the wagon who delivers our goods, all serve us; we are their indirect employers; their lives are dependent upon us, our exactions determine their labors, and we are largely responsible for the conditions under which they toil.

We begin to realize further that the large army of people who spend their lives making the things which we use are also brought (although more indirectly) into human relationship with us, and that the conditions surrounding their lives are also of moment to us.

This is true partly from selfish reasons, because if the articles we use be made amid unsanitary conditions, in living rooms where there may be infectious disease, we suffer the consequences by having the germs of the disease infect our homes and perhaps ravage them. Our responsibility also arises from humane considerations. We refuse to encourage the manufacture of articles which from the very nature of the conditions surrounding the work crush down, instead of uplifting our fellow beings.

The Consumers' League idea has evolved. At first we took interest in conditions only in our own immediate neighborhood, for which we felt a personal responsibility. Then we felt the need

of arousing the consumers of other cities. And now at last we are getting to be sufficiently human and broad to seek good working conditions for the people of every land. The wants of the American consumer are supplied from every country upon the globe, and therefore his rights and his responsibilities as well extend to every country.

In primitive days men believed themselves justified in making slaves of all around them. Until quite recently we continued to feel justified in enslaving those whom we, with our assumption of superiority, considered inferior in race. But now our code of ethics teaches us that we must make slaves of none; that we are all one great human family, and, as Malachi, the prophet, said: "God is the father of us all."

So to-day members of our American Consumers' Leagues, when they go abroad, are endeavoring to help French working people through La Ligue Sociale d'Acheteurs by patronizing those dressmakers, tailors and milliners on their white list who have agreed not to keep their employees at work after daylight hours, nor to ask them to work on their Sabbath and holy days, nor to take work at home. And when our members find themselves in Switzerland, they are glad to avail themselves of the Swiss white list of chocolate manufacturers, in order to encourage those who have agreed to maintain a high standard of competition. In Germany, too, has been established a Kauferbund, similar to our Consumers' League, and next September the first international conference of all these Leagues is to be held in Geneva, Switzerland, in order that the delegates from the different countries may endeavor to determine upon an international standard of working conditions for those who supply our wants the world over.

Another international conference of those interested in labor legislation is to be held also next September, earlier in the month, at Budapesth, and at that conference measures will be adopted to bring about fair conditions in all countries represented, so that no one nation can undersell another by reason of the exploitation of its working people. Treaties have already been drawn up between the representatives of many of the leading European nations binding themselves and each other to the abolition of night work for women and pledging themselves to a high standard of

industrial ethics, by agreeing to eliminate by prohibitive measures the death dealing phosphorus from the manufacture of matches.

So we find to-day that international treaties deal rather with industrial matters than military ones, and this suggests the hope that we may indeed be entering upon a new era: the era of the triumph of industrialism over militarism.

In industrial warfare, the consumer is commander-in-chief of the two armies—the army of working people and the army of employers. The consumers, when organized, are masters of the situation and are absolutely in control. An instance of the power of consumers to bring about a peaceful solution to a revolution, or at least a revolt, can be cited by relating briefly the facts in regard to a strike of drivers in a certain mountain resort in Switzerland, patronized largely by American tourists. The drivers demanded fairer conditions and better pay in order to provide for their families. The hotel proprietors, who had heretofore claimed a large proportion of the drivers' profits, refused to meet their demands, and sent for unemployed men from other cantons—men who did not know how to drive well and who knew nothing of the dangers of the rough, precipitous mountain roads. After the drivers had been locked out for some time and had endured much hardship, the Swiss Consumers' League endeavored to bring about arbitration. The committee, after investigation, concluded that the Drivers' Union had made only just demands. The Executive Committee of our National Consumers' League wrote to the Swiss League to learn the facts, whereupon the hotel proprietors, fearing that they might lose their much-valued American clientèle, at once yielded to the demands of the Drivers' Association and agreed not to employ inexperienced men.

Our interests are becoming more and more international in character. We have become inhabitants of the entire globe, not of a small tract of land in one corner of it. Whereas our grandmothers used to supply the wants of the entire household by utilizing the materials found within the four walls of their own estates,—by raising and butchering their own live stock, by growing and preparing and canning their own garden vegetables and fruits, and by raising their own flax, hemp and cotton and spinning, weaving and stitching it,—to-day we gather our lares and penates,

our food supplies and our garments from the far East, the golden West, the distant North, the sunny South. Every nation contributes its quota to our world famous markets, and we *must* be alive to our great opportunities and their corresponding responsibilities.

Every increased opportunity or privilege means an increased responsibility. The Consumers' League is doing a work far more important than is at present realized, in arousing and quickening this sense of personal responsibility and in awakening in the peoples of the different countries a sentiment of brotherly interest and sympathy. When we all unite in this way to uplift industrial conditions in all the lands, we are indeed helping forward the movement for universal peace.

THE NEXT STEPS FORWARD.

MRS. LUCIA AMES MEAD.

"Where there is no vision the people perish." The patriot who has no vision of his nation's mission, but only blind loyalty to whatever of wisdom or folly it achieves, often as in a mirage sees destiny writ large where only the desert lures to death and desolation.

We are of the few nations upon earth privileged to teach solution of a world problem. Palestine revealed the oneness and the righteousness of the Eternal. Greece taught man philosophy and art. Rome gave anarchic tribes a system of jurisprudence. Britain invented representative government, the only guarantee of liberty in large areas. To our nation the Almighty has reserved the noblest mission yet vouchsafed a people—to show how a united world may be founded on the principles which achieved a United States.

Our responsibility is first to understand and then to promote world organization. What this implies, stated in bald outline, is on the leaflet placed in your hand. Read and reread it, I beg you, until you can refute the statement that "pacifistes" are sentimentalists who ignore human nature and expect the millennium to-morrow. Let no woman say that she opposes war who will not take the trouble to learn its remedy.

War will never cease by women's tears or prayers. International peace will be reached essentially as interstate peace was achieved by less than one hundred men in Independence Hall in 1787. In a nation specially guilty of lawlessness and homicide there has nevertheless been in all our history no conflict between any one State with another. First 3,000,000, now 80,000,000, have lived, and presently 200,000,000 people will live, in fifty States with perpetual peace upon their border lines. Chicago and St. Louis are far from the millennium, but they do not fight each other. New York and Pennsylvania harbor graft, but they have no interstate wars.

An organized world will not end civil wars or murders, but it will remove the waste of two-thirds of every nation's revenue in war debts and war preparations; it will turn these floods of money to constructive purposes, reduce two-thirds the necessity of our charities and set free from non-production millions of youths now under conscription, while their old mothers and sisters sow and reap to feed them. It will substitute an international police for rival armies and navies; it will not only end war between nations, but will eventually bring a common coinage, a more common standard of living and lower tariffs. It will be the fatal blow to race prejudice and the menace of privilege.

Our first step forward must be to understand and proclaim the methods of achieving world organization. For this a campaign of education is demanded for which the primary need is money. Recently a would-be benefactor has left \$4,000,000 for a charity, so hedged with restrictions as to be practically futile. "A \$4,000,000 blunder," the charity experts call it. Could that money have been spent in establishing a bureau of international fraternity in Washington, where experts could have supplied Congressmen and diplomats and the press with the information and arguments so sadly needed; could it have placed throughout the country fifty agents where we now have one, we could easily have saved \$10,000,000 this year for a battleship and have led the world in the limitation of armaments. With this sum we could have brought pressure to bear on other nations and helped change the future history of mankind. Every form of charity, education and reform has thousands of supporters. Millions are poured out

to uplift drunkards, prisoners, paupers, the crippled and diseased. But to prevent the evil which causes more pauperism and waste and suffering than any other, we have not yet the price of even one little torpedo boat! It is a discredit to our Christian people that they do not supply the few hard workers in this most hopeful of all reforms even with the necessities for printing, postage and carfare. Not even in forestry or war against tuberculosis, important as these are, will a little money produce such stupendous results. We want it for work in normal schools and colleges, that patriotism, civil government, history and literature may be taught from the point of view which the times demand, and future editors and Congressmen learn that their country is the world, their countrymen are all mankind. We want to reach the mothers to inspire them to infuse into vapid tabletalk something that gives to business men, intent on stock reports, and children absorbed in trifles, a sense of large relationship, that nothing human is foreign. For this teaching, as much as for industrial teaching, or any kind of teaching, we need money.

My chief desire, however, this morning is to present three specific aids to world organization as yet but little talked of, briefly mentioned on the leaflet in your hands, as among the next steps. Though these methods are to be employed by statesmen, the public interest which we are responsible in forming is a prerequisite to their accomplishment. Arbitration has become well understood, but it is by no means the sole substitute for navies. There are other methods of securing safety and defence. The first and easiest is to persuade Congress to establish a peace budget, as recommended by the Interparliamentary Union for all nations. Should we place in the hands of a commission appointed by the President at least one dollar for an exchange of international courtesies for every thousand we have spent for war, we should have this year over \$220,000 for this purpose. Had such a sum been spent a year and a half ago, when bitter, slanderous talk against the Japanese appeared in our jingo press, what might we not have done to allay it and the consequent vote for a huge battleship? That sum would have permitted us to invite one hundred eminent Japanese here and to send our many American editors and Congressmen to Japan. It would have resulted in an

interchange of lectures, banquets, speeches and interviews and have produced an even more important psychological result than that attained by Secretary Root's visit to South America. A dollar spent in winning friends by promoting understanding is worth a thousand spent in preparing to fight would-be friends whom we have turned to enemies. With proud and sensitive Orientals, courtesy and good-will are our most powerful methods of maintaining peace.

The arrogant and impudent talk about our "mastery of the Pacific," as if its waters did not wash nine other nations as well as ours, would do little harm were it offset by the work which such a national commission with such a peace budget could accomplish. As soon as the enormous possibilities of this new method is understood, pressure should be brought to bear on Congress from every State to vote at least the price of one torpedo boat, to deal with a problem which is primarily psychological, and can never be settled by the costly diabolic mechanisms for destruction.

Another aid to peace will be the neutralization of the Philippines,—our only possessions where danger seems to lurk. Since 1817 the borderline between the United States and Canada has been our safest frontier, because of our agreement to waste no forts or battleships in its defence. Hundreds of millions might have been squandered in building and replacing each generation needless defences, but we have been far safer without them, and have learned a lesson which should have world-wide application.

Switzerland and Belgium were long since neutralized by several Powers and thus secured from aggression. Last summer Norway, who needs her small resources for internal improvement, secured immunity from attack by pledges from England, France and Russia that they would unite in her defence if she were attacked. More recently the Central American States have neutralized Honduras, and only last month countries on the North Sea and Baltic have pledged inviolability of territory bordering thereon.

The Philippines are our sole excuse for a fleet in the Pacific. Without them, our navy could be reduced one-half. We are bound to secure them from aggression, though there is not the slightest evidence that any is intended. Let us hasten the time

of laying down this costly burden; grant independence, with a pledge from all the nations that the autonomy of the islands shall be preserved, as Secretary Taft suggests, in providing further education, as hitherto we have spent not a dollar of our own money on their schools.

The third step forward, one that must be carefully prepared for by long familiarity and discussion, is the substitution of the threat of ostracism, as a last resort, for huge armaments. No navy can compel a people to buy your goods; to my thinking, no greater service has modern China done the world than to teach a proud nation like our own, with a navy that could annihilate hers, that a handful of unorganized merchants, without their Government's backing, could compel our cotton manufacturers to make our Government heed and redress injustice.

Organized ostracism is peculiarly a method which can avail only under modern conditions of commerce and communication. It is the rational, bloodless and effective weapon suited to an organized world which produces the largest results with the least waste and expense. It is *par excellence* the Christian method. It is the political application of the "shaking the dust off your shoes," or "let him be anathema." It is wholly removed from the spirit of violence and revenge when it is employed as the method to force arbitration, and must not be associated in the mind with the often unjust boycott in disputes in the world of capital and labor.

As Justice Brewer has plainly shown, no navy will ever be needed to compel a recalcitrant nation to abide by the decisions of a world court. Ostracism by the world is something no nation will ever dare to face. But we need not wait for complete world organization before we make it a powerful agent for peace.

Were only three nations, England, France and the United States, to agree, as a beginning, to secure their own peace by it, they would soon persuade the world to follow suit. Let these three friendly nations make treaties to withdraw diplomatic relations and commerce from any nation that attacks any one of the three and refuses to arbitrate, and no nation in the world with a war on its hands with one of the three could endure the ostracism of the other two a single month. Navies can only bombard a coast

town, but such a boycott would affect every hamlet in an empire, and be far more effective. To be sure, this would involve expense for remuneration of merchants in the two countries instituting it, but even if it were once used, it would never be more than once, and would cost but a fraction of the present expenditure for defence. Observe, this penalty of organized ostracism is one which probably need never be employed, just as force is never needed to compel obedience to a decision of our Supreme Court. The mere certainty of it as a last extreme penalty of law would be sufficient. But it is essential, if we would cease reliance on brute force, that some definite penalty as potent to compel nations to resort to judicial decision, be provided by international agreement.

Let one-tenth of the money and energy spent in spectacular naval displays for a thoughtless people enamoured of brass buttons, be spent in educating the world to prohibit war loans, to arbitrate every question, to establish a peace budget. to neutralize exposed and weak peoples and to use excommunication from civilization instead of lyddite shells as a last method of coercion, and permanent international peace would be accomplished. Not general education of all the people on the globe is needed for this. but only the specific education of the influential persons in influential nations.

As the most privileged women who have ever lived, as women who have more time to read and think than most men, as patriots and as Christians, let us put aside our petty interests, and our mere palliative for evil and first study and then, without ceasing proclaim the exalted mission of these United States to lead to a united world.

RACE PREJUDICE A CAUSE OF WAR.

MRS. ANNA GARLIN SPENCER.

LADIES AND GENTLEMEN, MADAM CHAIRMAN AND FRIENDS OF THE CONFERENCE: I think Mrs. Mead's sincere, practical word should have been the last, but if I seem to take you back of that, it is merely to get a fresh start, and try to come out where she did.

I think that peace friends and peace advocates often fail to appreciate the deep spirit of human history and human experience which to-day make obstacles to this organization of the world and of international peace. You all know, when you think of it, that it is an innate and persistent tendency of human nature to form group relationships, within which every member is required to be faithful to every other, but outside of which neither sympathy nor justice extends. We have only to look back in the history of the race to see where the family relationship is resolved into the tribe—a tribe faithful to each other, but none of them required to think of any one else in the world, except as an enemy. The later development of the family, from the patriarchal head—that was resolved into the nation, and now we have come to the great group relationship. Our racial distinction gives us a deep feeling of separation. It is on these basic separations of sentiment that we build our animosities, and those animosities I do not think are superficial. I think they root back to the very earliest conscious life that expressed itself in organized society. Therefore, when we are trying to overcome them, we must ourselves be ahead of and above them. We cannot get below them. What then is the height to which we rise when we try to escape the narrow side of patriotism, which says, "My country right or wrong," and which says beforehand that every other country must be wrong that does not accept the mandates of our nation.

You all perhaps have heard of the little girl who went to Sunday-school and was astounded at what she heard, and on her return said to her mother, "Why, there was a man in our Sunday-school that talked to us, and said Jesus was a Jew." "Well," said her mother, "the man was right." "Why, mother," she said, "I thought Jesus was a Presbyterian."

On the other hand, we are hearing to-day a great deal about America being the mixing-pot of the world. So it is. What the American citizen, that composite creature, will be two hundred years from now no one can tell, but we know to-day that the American that all the world knows was made out of a distinctive kind of human being, working out a distinctive kind of politics and social organization. So what we want is an intelligent and discriminating world-sympathy; and if to-day we lost out of

American institutions, those which were formed by the prevailing characteristics of the first settlers, the Pilgrims and the Puritans—lost our form of government, lost our public schools, lost all that we have in our American life which is distinctive—I say that the whole world would not be coming to our shores for help, or to be merged into that composite American of two hundred years hence. Therefore, my friends, I want to say on this peace platform, I am for world-sympathy and world-organization, but on a basis of intelligent discrimination. We are the mixing-pot of the world for the future; but unless we hold, not the outward, narrow expression, but the nobler spirit that made this nation—we have lost that composite American of two hundred years from now.

Somehow we have to mix with our talk of logic and practical work something of the poet's ideal, not merely stated in terms of didactic instruction, but in poetry of expression. What do I mean by that? You want to get into your public schools—you want to touch your little child's heart; you want to make that child believe it is a fine thing to be an American citizen. We must find something to make the blood tingle and the tears start to the eye, as they do when we see the procession, the flags fluttering, and hear the drums beating. All these things come from away down deep in our natures.

A great man has said—and though I do not agree with him, yet I repeat it—"I am not a patriot; I despise patriotism; I am a citizen of the world." We may be citizens of the world with our intellects, but we are not citizens of the world yet with our hearts. Until we can make the heart and the intellect work together we cannot organize the world.

The thinker feels himself at home with all the world; you sit in your library, you take up your book, and any man who has for you a thought is your friend and brother; but we somewhere must make it clear, not alone in the sense of Scripture, that this distinct nation has something definite, distinctive, precious, fine, to give to us, and we in turn something definite, distinctive, and fine to give to that nation. There must be something more distinctive in our ideas of world-sympathy. There is a saying, "A man that comes from a distant locality is contemptible; the thing

that comes from a distant locality is precious." We are now filling our homes with precious things that come from a distant locality.

We are all willing to assent to the idea that we are all children of one Father. I am pleading for that universal world-sympathy that sees a specific value in the world's ideals; and in the last few words I have to say to you, that we must bring into our schools the new ideal of brotherhood that will give us the world's sympathy.

I do not wish to take up your attention with personal matters, but would like to say that I am closely connected with a school that is doing some vital and beneficial work to inspire the world's sympathy. We keep them in touch with the nations—the Laplander and the New Zealander, and their modes of living so that when they meet them they are not meeting strangers, but those whom they already know.

I have recently seen a man who truthfully said that he had been living not in America, but under America. That man had had American legislation presented to him in terms of oppression, in terms of misunderstanding, in terms of selfishness. Therefore, the new ideal means that every human being that comes to American shores must be received by the best of Americans, giving the best of America in the highest and most perfect sense. There is nothing that will make peace and arbitration more effective.

Third Session

THE LEGAL CONFERENCE

MONDAY AFTERNOON, MAY 18TH

The third session of the Conference, held in Horticultural Hall on Monday afternoon, May 18th, was devoted to "a discussion of the important legal questions involved in the establishment of international courts of justice, as proposed by the Second Hague Conference."

Hon. William P. Potter, Justice of the Supreme Court of Pennsylvania, was chairman. After a few appropriate opening remarks, Judge Potter introduced the first speaker of the evening, Hon. William L. Penfield, of Washington, D. C., formerly solicitor of the State Department, counsel for the United States in the Pius Fund cases, and agent for the United States in the Venezuela Arbitration cases at The Hague in 1903.

INTERNATIONAL COURTS OF JUSTICE.

WILLIAM L. PENFIELD.

The phrase "international courts of justice" may be taken as descriptive of the various tribunals which have been devised for the determination, on principles of international justice and peace of differences between States. They may be described, in general, as international tribunals of arbitration. They have included in the past tribunals styled tribunals of international arbitration and those styled mixed claims commissions.

The former have been created, either in pursuance of a permanent treaty engagement made between the contracting States in order to provide for the peaceful settlement of controversies arising between them; or, more generally, they have been formed under a special treaty, convention or protocol, made for that purpose. The "Pius Fund Case" between the United States and Mexico, which was the first case to go before The Hague Tribunal, was submitted both in pursuance of a permanent

treaty engagement contained in the Treaty of Guadeloupe-Hidalgo, and in pursuance of a protocol, in the nature of a compromise, agreed on between the two Governments. This was the first case in which the experiment was made of the selection of judges all of a nationality different from that of either of the arbitrating States.

Mixed claims commissions have been generally, or invariably, created under a special treaty, convention or protocol, made to meet a particular case or class of cases.

The Hague Convention of July 29th, 1899, is in the nature of a permanent treaty engagement between the signatory States, providing for the appointment of a standing list or panel of competent persons from whom judges may be selected for the purpose of constituting a tribunal in a given case. The convention prescribes certain rules of procedure by the tribunal which are to govern it so far as the same are not specially prescribed in the protocol or agreement for arbitration. Under the terms of The Hague Convention, arbitration of differences between the signatory powers is not compulsory, and they are at liberty to ignore the convention and to create a tribunal in any manner they may choose.

A new species of international tribunal was introduced by The Hague Convention of 1899, styled "International Commissions of Inquiry."

Two other tribunals have been proposed by the Peace Conference of 1907, one by the convention for the establishment of an international prize court; and one, by the recommendation made by the Conference for the organization of an arbitral court of justice, as soon as an agreement shall have been reached upon the selection of judges and the organization of the court.

We thus have actually or potentially :

1. A tribunal of arbitration, formed pursuant to a permanent or special treaty engagement, outside of The Hague Convention.
2. The mixed claims commission.
3. A tribunal formed under the Convention of 1899, as amended by the Convention of 1907, if the latter shall be duly ratified.

4. International commissions of inquiry.
5. International prize courts.
6. An arbitral court of justice.

We are limited by the theme set for our discussion this afternoon to the consideration of the *legal* aspects of international courts of justice. This involves a consideration of (1) the principles and ideals for the creation, constitution and organization of the municipal courts of justice; (2) the principles and ideals for the creation, constitution and organization of international courts of justice; (3) the legal relations of these courts to independent States, and to their respective Governments, in their executive, legislative and judicial branches, and particularly to their municipal courts; and, far above any and all other considerations, it involves their relations to the inseparable principles of international justice and peace.

Municipal courts of justice are of a permanent character. The judges are selected in advance and regardless of any controversy already existing or which may arise; they hold by a comparatively long or permanent tenure; receive fixed salaries; are independent of executive or other influence; an absolute impartiality of decision is their first, their sworn and most solemn duty. This duty is obligatory on the part of the court, and submission to the decision of the courts in the settlement of differences arising between citizens, or between the citizen and government, is compulsory. A recalcitrant or contumacious party may be constrained to submit to the jurisdiction and decision of the court or suffer the consequences of a judgment by default.

The ethical principles which underlie the organization of the municipal courts are, therefore, their complete independence of any extraneous and sinister influence and their impartial and just decision of the merits of any cases coming before them for their determination,—although it must be confessed that in practice they sometimes fall short of their professions.

To the realization of these ethical principles, in the organization and action of international tribunals, additional and more complex difficulties are encountered. The French adage—that there are two kinds of human nature, human nature as it is found

in other men, and human nature as it is found in the Frenchman—may, with little perversion of meaning, be applied in the creation of international tribunals. The problem of their constitution is complicated with the nature of the genus *homo*, which has to be taken into account in the creation of our municipal courts, and also with the nature of the genus *diplomaticus*, which is a fairly distinct order of the human species. In the organization of international tribunals, the ruling powers of the State have to deal primarily with the same perplexing questions which are involved in the organization of the municipal courts; and to these, moreover, are added the disturbing element of national vanity, which is always present; the sense of national importance; the patriotic feeling that our country is always right, and that it is especially right when it happens to be in the wrong; and hence the strong disposition of the governing powers of the State to manage the affair so that the tribunal shall be constituted in such a fashion that the national pride shall be vindicated by a triumphant arbitral decision. Only a high order of conscience in the individual who holds the reins of authority is able to concede that he may, by a possibility, be in the wrong, and that a given controversy with another State should be ungrudgingly submitted to the determination of an impartial tribunal. If, however, he happens to be engaged in schemes of aggression, of conquest, or of plunder, he finds the same objection to the submission of his claim to arbitral justice as that which is entertained by the foot-pad to the legal process of the ordinary courts. The foundation question to the whole of this discussion, therefore, is what should be done in such a case? Is international peace worth the keeping, and can it really long endure, if every State violates and disregards the obligations of justice by refusing to submit any controversy to impartial judicial or arbitral decision? The stronger his case, and the weaker the case of his adversary, the more ready should he be to submit his controversy to the decision of an impartial tribunal. The diplomatic nature and aspects of the question under discussion, therefore, affect the legal aspects of the organization and action of international courts of justice; and they present the most serious problems and suggest the chief difficulties connected with the subject under discussion. When every State, claiming fellow-

ship with the family of nations, is inspired by a national conscience so that it can conceive and admit the possibility of error on its part in its contention with another government; when it is so much imbued with the spirit of justice that it will willingly yield to impartial arbitration, then only will the foundations have been laid for the creation and organization of international courts in a manner correspondent to the high ideals which preside over the organization of our municipal courts.

The Hague Convention of July 29th, 1899, provided for the creation of international commissions of inquiry. Their function is to investigate questions of fact in differences of an international nature, involving neither honor nor vital interests. The commission makes a report of its findings of facts, and furnishes each party a copy thereof. The findings have not the character of an arbitral award, and the parties are left full liberty of action. Although a regular procedure is prescribed for the workings of the commission, its essential aspects are rather those of the moral than of the legal order. Its high utility in affording time for the appeasement of ephemeral national passions and thereby affording the basis of amicable discussion and adjustment, has been already demonstrated by the commission of inquiry appointed by Russia and Great Britain to investigate and report the facts connected with the Dogger Bank incident.

In their strictly legal aspects, international tribunals of justice are an emanation of the executive governments. The controversy which they are to decide partakes of the nature of the actors themselves; a difference has arisen between States; it is a diplomatic controversy; national susceptibilities have to be considered in the making of the arbitral agreement, and in the composition of the tribunal. Herein lies the root of the difficulty to be overcome in the selection and organization of the tribunal, in accordance with the ethical standards which govern the creation and action of the municipal courts. This situation has been dealt with generally in the creation of international tribunals of arbitration, and invariably in the creation of mixed claims commissions, by the selection by each of the arbitrating States of one or more of its own nationality as members of the tribunal. That is to say, a biased judge is selected and put on the bench—not consciously

biased, perhaps, but influenced by a patriotic feeling, intensified by the sense of responsibility to his government. This defect was sought to be remedied in part by the plan recommended by the late Peace Conference for the establishment of an arbitral court of justice; and a partial solution was also sought by amendments proposed to the Convention of July 29th, 1899. By these amendments each party can appoint two arbitrators, only one of whom shall be of its own nationality, while the members of the permanent panel are disqualified from acting as agents, counsel or attorneys in any case except for the government which has appointed them as members of the panel. It is thus evident that the ideals upon which the organization of the municipal courts is predicated fall far short of realization in the organic principles which have been generally practiced or prescribed for the organization of international courts of justice. They are also wanting in compulsory legal process either to bring parties into court or to execute the judgment rendered, but the numerous treaties making for compulsory arbitration; this gathering, and many others of like character, bear impressive witness of the fact that States are becoming more ready to accept service of the compulsion process of growing public sentiment.

The convention adopted by the last conference for the establishment of an international prize court has the interest of extraordinary novelty. It is the first attempt ever made formally to create and recognize an international will, having the prize court as its organ, and of sovereign authority over all civilized States in matters of prize. It provides for the constitution of a court consisting of fifteen judges; it authorizes an appeal in certain specified cases to the International Prize Court from the judgments of the prize courts of last resort of belligerent States who are parties to the convention; it prescribes the procedure; it authorizes the issuance and service of process of the court to parties and witnesses, through the government on whose territory the process is served, or through the government in whose territory the court is sitting. It is required to decide the case in accordance with any treaty provision between the differing States, or, in the absence of such provision, to decide according to the principles of international law. It authorizes the court to declare the capture illegal

and to order restitution and to award damages to the injured party.

The bare recital of these provisions will serve to indicate the radical nature of the innovation proposed on existing theories of State sovereignty and on international usage, with respect to the final decision of prize cases. International tribunals have been created in the past with jurisdiction to hear and determine the question whether the decision of a prize court had been rendered in contravention of the principles of international law and to render an award accordingly. So, international tribunals have frequently been called on to decide the question whether the ordinary courts of a State had committed flagrant denials of justice in their final decision of controversies before them. But this is the first instance in which appellate jurisdiction has been given to an international tribunal, with the power to hear and render final decision on the question whether the judgment of the court under consideration was contrary to the facts or to the principles of international law. The immediate and ulterior effects and consequences of the grant and exercise of this appellate jurisdiction over judgments rendered by the Supreme Courts of the United States, Great Britain, Germany and other States; and of its final judgments on the mutual rights and duties of belligerents, and of belligerents and neutrals, and upon the entire system of prize law, and indirectly upon all ocean-borne commerce, are incalculable.

Whether or not this convention and the recommendation for the creation of a court of arbitral justice shall be adopted and incorporated into the law of nations, they represent an advanced stage of public sentiment in the agitation and discussion now going on the world over in behalf of higher ideals and nobler and more unselfish aims, in the development and organization of the system of international justice.

SHOULD ANY NATIONAL DISPUTE BE RESERVED FROM ARBITRATION?

JACKSON H. RALSTON.

A man presents himself at the portals of Ellis Island. Our laws, the justice or efficacy of which we do not discuss, require us to question him. "Do you believe in organized government?" He answers: "I believe in government, of course; but let it not interfere with me. I accept it so long as it does not affect my personal independence, so long as it leaves me master of whatever concerns mine honor and permits me to avenge myself upon all who infringe upon that honor. I believe in government so long as it allows me, as sovereign over my own destiny, to determine for myself what interests are vital to me and to slay those who in my opinion trench upon them." To the man who so replies, we say: "Your recognition of government is formal; your appreciation of right as between man and man is undeveloped. If admitted to our country, you would be a danger to our well-being. In very essence you are an anarchist, and as such may not enter."

Let us suppose a new State has arisen demanding recognition and admission to the family of nations. Its representatives, when entering into treaty obligations with other nations are permitted to withdraw from submission to the judgment of any tribunal formed to adjudicate international difficulties, all questions which affect its independence, its honor or its vital interests. Whether, in fact, a dispute involves any of these elements, it retains, and is recognized as having a right to retain, the privilege of determining for itself. At most to-day we ask—not insist—that it shall arbitrate pecuniary claims.

When such a position is taken in international law, is not anarchy grown large legitimized? Little harm can the sentiments of one man do. His opinions and interests will be corrected and controlled by the opinions and interests of his neighbors. Perforce he must submit to the judgment of his fellows all the questions as to which theoretically he claims the right of self-determination. But when a million men, calling themselves a State—which, after all, is but a collection of human units—determines

without restraint its justification for war over such questions, and even settles for itself their very existence, thus claiming the right governed only by its own sense of justice to steal from and to murder another million of human units who exercise a similar power, we have chaos unspeakable, chaos unlegitimized. By international law, paradoxically speaking, thus we have regulated chaos. And yet analysis shows that, after all, there is presented to us but the simple problem with which we opened—the right of anarchy—a problem confused only by the indefinite multiplication of the participants.

And we will not lose sight of the fact that even as to pecuniary claims, in almost every case a nation may refuse arbitration upon the pretense that the very advancement of such claims is a reflection upon its honor, perhaps because there is offered a suggestion deemed disgraceful to its administrative or judicial officers, to which suggestion it refuses to submit.

Must we not, then, conclude that our international law is but taking its first few feeble steps; that we are just entering upon a long and painful period of education, the end of which will be to assimilate international justice to national justice?

Taking a look into the future, we may recognize that the time must come when such a thing as international law relating to warfare will be as obsolete as is to-day common and statute law relating to the status of slaves. I remember as a boy reading a book, then old, laying down the rules of the *code duello*. To-day such a work prescribing the amenities of private murder would seem as out of place in our civilization as, let us hope, in the future will seem the half of the volumes of international law which are now given over to the examination of the courtesies of public slaughter.

But our course seems clear. We must develop the idea of arbitration, insist that no question is too small, no interest too great to be subjected to the judgment of disinterested and competent men, for, internationally as well as in our private lives, something on its face immaterial may lead to consequences coloring history. Tracing the causes of wars to their obscure beginnings, how often we find that foolish jealousies, accidental or intentional lack of observance of the smaller courtesies of life, have led on and on to the slaughter of thousands. But if appar-

ently small things can with justice and advantage be settled between man and man and nation and nation by submission to impartial men, with how much more obvious reason should the larger and more dangerous matters take the same course. And, after all, can those who take part in them best determine whether the matters in dispute be large or small, be great enough to justify the killing of thousands, or insignificant enough to be atoned for by the payment of a few dollars?

How needless does calm investigation show to have been even modern wars conducted by men priding themselves upon their civilization? Can anyone living tell beyond a peradventure what was the Schleswig-Holstein question, which involved a bloody conflict? Was there just and sufficient cause for the Franco-Prussian struggle? Does anyone attach large importance to the supposed questions leading to the Crimean War, and was the charge of the Light Brigade, immortalized in poetry, sufficient return to the world for thousands of deaths among the subjects of four nations?

When we look back at all these struggles, standing in the disinterested attitude of strangers to them, living as short a time as from thirty to fifty years after, and consider their doubtful or inadequate causes, can we not agree that the arbitrament of a group of cool and disinterested men living contemporaneously could, if asked, have afforded a peaceful and honorable solution? And if in any of these cases the causes were so slight or so involved and so difficult of reasonable statement as to preclude reference to arbitration, may we not think such fact to be sufficient to condemn those engaging in these wars as mere brawlers in the family of nations?

Visible advances toward the goal I have indicated have been made, and in the making America has taken an honorable and leading part. Repeatedly have we arbitrated boundary questions, questions of a nature which in a less civilized age or with less advanced participants would have led to frightful wars and have been regarded by the countries in dispute as affecting their honor and vital interests. Very many commissions to which we have been parties have settled claims disputes touching wrongs to individual citizens of a character which, under less happy circumstances,

would have spelt war, and for even smaller aggravation than has been involved in them less favored nations have with heartiness entered upon throat-cutting and destruction. Can we not even to-day take pride in the Alabama Claims Commission, which satisfactorily solved questions which might be classified as of honor and vital interests, although ostensibly determining only pecuniary liability, and which made this settlement at a cost which, compared with that of a week of war, was infinitesimal.

Even in the small matter of claims of individual citizens, no nation can properly be a judge in its own cause. Many a time has this been illustrated, and I will refer but briefly to its latest demonstration with regard to Venezuela. When the ten commissions sat in Caracas in 1903 to determine the claims of as many nations against Venezuela, there were presented before them demands aggregating, in round numbers, thirty-six millions of dollars. The commissioners and umpires determined that but six and one-half millions should be paid, or, roughly, eighteen per cent. of the original amount of the demands. One nation, as a condition precedent to the execution of the protocol of arbitration of her remaining claims, demanded payment in full in advance of certain claims aggregating nearly three hundred and fifty thousand dollars. For precisely similar claims submitted to arbitration, she received twenty-eight per cent. of her demands, indicating fallibility, as I believe, when she acted as her own judge and demonstrating that the advance payment was largely unjustifiable. The experience of other nations before like tribunals was of the same general nature. And the history of claims arbitrations furnishes many similar instances.

But what is honor, about which nations hesitate to arbitrate? For theft, for murder, we have a definite measure, born of the universal conscience, the same yesterday, to-day and forever; but honor, as the term is applied, is a mental concept varying with the mood of the times. He who accuses my honor does not rob me. Honor is only to be lost by my personal act. The impeachment of my honor may call for self-examination to determine whether the accusation be well founded. The death of the offender does not adjudicate the falsehood of the accusation.

But if the delivery of an insult be considered to be an

impeachment of honor, should the reply come in the shape of war? If a man or a nation is insulted, as we term it, is the insult extinguished by the death of the insulter? Does not his killing convict us rather of want of discretion and temper? Is not the best answer a well-ordered life and established good reputation? Should not other resort be forbidden to us than declination of further relations with the offender, who, individual or nation, has merely sinned against good manners?

A reservation of independence as not the subject of arbitration seems, on analysis, meaningless though harmless. Arbitration postulates an agreement between equals. Questioning the independence of one party or the other involves a doubt as to their equality, and is foreign to the idea of arbitration.

When we treat of vital interests we touch a subject never properly to be withdrawn from arbitration. What are vital interests? They are to-day whatever the nation declares to be such and withdraws from arbitration. The so-called vital interests are matters of commerce, trade and politics. As to matters of trade and commerce, we shall submit that their advancement as a basis for vital interests is founded upon a misconception of the purposes of government. As I take it, governments are formed to preserve the true liberty of the individual, to protect him in his rights of person and, as subordinate to his rights of person, his rights of property. They are not formed to extend and develop commerce and trade as such. Properly speaking, no nation has political interests beyond its own borders, and, were we to enter upon the reign of arbitration, no question of political interest, as we shall attempt to demonstrate, could properly arise.

Politically speaking, vital interests are, when analyzed, found to be based upon either a desire to ultimately possess something now belonging to another, or a fear that a strong nation may violently so enlarge itself as to endanger us. With the thorough establishment of unrestricted arbitration, we will not be able to indulge our predatory instincts at the expense of our neighbors. With such condition, we will not fear lest another nation so aggrandize itself by violence as to be a source of danger to us. At one and the same time we would restrain our own unjust acquisitiveness, and we would lose our fear. The thorough estab-

ishment, therefore, of arbitration means the cancellation of the term "vital interests" as applied to politics.

Can we hope for justice from arbitration? We might, in view of the course of our discussion, respond by asking: "Has justice been obtained through war?" Long ago legislators found that the wager of battle failed to secure justice as between man and man. Without lengthening the argument, we may believe that armed conflict has not, on the whole, advanced the rule of right. When at one time war has served to check inordinate ambition, at as many others it has furthered its purposes.

We may concede that in private matters justice has often gone forward with halting steps, has even at times seemed to go backward, yet who among us would dispense with the conclusions of judge and jury and revive the wager of battle?

From the beginning, with the advantage of national precedents and experiences, we may expect arbitration to bring us approximate justice. That always exact justice should be rendered may not be expected. The members of our Supreme Court, differing as they frequently do most vitally, will not say that this tribunal has never erred. But, despite the possibility of error, we find that order and the well-being of the community must be maintained even at the chance of individual injustice, a chance which no human skill can eliminate.

But arbitral history leads us to the conclusion that more than an approximation of right may be expected, that a tribunal which is the center of observation by the whole world will seek to give and will give a judgment as nearly righteous as may be.

In the whole history of arbitrations, but one has ever been suspected of corruption, and, by joint agreement, its findings were reviewed. Slight criticism may be made of the generality of other like tribunals. To-day doubtless even the English will agree that the findings of the Alabama Joint High Commission were just.

Of the four arbitral sentences given by the Permanent Court of Arbitration at The Hague, but one—that in the Venezuelan Preferential Case—has received serious criticism. Even in this case, judicial settlement, though perhaps erroneous, was immensely valuable.

Let it not be said that the ideas to which I have sought to give expression are too advanced, are impractical. It is only by "hitching our wagon to a star" that we may progress. Let us not forget that there is nothing blinder and stupider, nothing less practical than the so-called practical man, that only among the dreamers of dreams of human advancement are to be found those who the flow of events demonstrate to have had the clearness of vision of the truly practical man.

CONSTITUTIONALITY OF THE PROPOSED INTERNATIONAL PRIZE COURT—CONSIDERED FROM THE STANDPOINT OF THE UNITED STATES.

THOMAS RAE BURN WHITE.

The twelfth convention adopted by the Second International Peace Conference at The Hague provides for the establishment of an international prize court, to which appeals may be taken from the national prize courts of the various signatory powers, or such of them as shall approve the convention. The third article of the convention provides:

The judgments of National Prize Courts may be brought before the International Prize Court:—

1. When the judgment of the National Prize Court affects the property of a neutral Power or individual;
2. When the judgment affects enemy property and relates to:
 - (a) Cargo on board a neutral ship;
 - (b) An enemy ship captured in the territorial waters of a neutral Power, when that Power has not made the capture the subject of a diplomatic claim;
 - (c) A claim based upon the allegation that the seizure has been effected in violation, either of the provisions of a convention in force between the belligerent Powers, or of an enactment issued by the belligerent captor.

The appeal against the judgment of the National Court can be based on the ground that the judgment was wrong either in fact or in law.

As indicated by the article quoted, the validity of the seizure of the prize is determined in the first instance by the courts of the

belligerent captor, from which an appeal lies, in the cases mentioned, to the International Prize Court at The Hague.

If the convention establishing this court is ratified by the Senate of the United States, and legislation supplemental thereto is enacted by Congress, we shall have a condition which is a novelty in our system of jurisprudence. Cases originating in the courts of the United States will be capable of removal by appeal to a court located on foreign soil, not forming a part of our judiciary system, and not subject to the control or supervision of the United States Government or any department thereof. The provision for such appeals, either directly from the district courts or after appeal to the Supreme Court, will doubtless include certification of the record, preserving the *status quo* of property involved pending the appeal, and submission to the decision when rendered, even though it may reverse the Supreme Court of the United States.

It was stated in the report of the delegates of the United States to the Second International Peace Conference that "the question of the constitutionality of the proposed International Court of Prize as a treaty court would seem to be precluded by the decision of the Supreme Court of the United States *in re* Ross (140 U. S. 453) "* That case, however, while upholding the power of the United States to provide by treaty a consular court in a foreign country, is by no means authority for the proposition that it may by treaty or act of Congress confer upon a foreign tribunal appellate jurisdiction of cases originating in courts of its own country.

Whether that power exists depends upon two questions:

(1) Whether the grant of the treaty-making power to the President and the Senate includes the power to provide for the judicial settlement of questions of an international nature.

(2) Whether this power is limited by the grant of the judicial power of the United States to the Federal courts, so as to exclude the power to provide by treaty for the appeal to an international tribunal of prize cases originating in our own courts.

The Constitution provides (Art. II., Sec. 2):

* Senate Document No. 444, page 49.

He (the President) shall have power by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur.

Laying aside for the moment the question as to any limitation implied by the constitutional grant to the Federal judiciary, the power of the United States to provide by treaty for the establishment of international courts and the adjustment of international differences therein is free from doubt.

Whatever may have been supposed at one time, there is no longer any doubt that the people of the United States by the adoption of the Constitution, founded a nation, which in its relations with other countries of the earth has the attributes and powers of any other nation, unless limited by some express or necessarily implied restriction contained in the Constitution. Among such powers is that of making treaties. The people of the United States, in creating the Federal Government, did not withhold to themselves or vest in the States any part of the treaty-making power; it was all vested in general terms in the Federal Government. That government, therefore, has *prima facie* all the power which the people of the United States themselves had, or could have, to negotiate with foreign governments or to enter into treaties or agreements of an international character. Whatever limitations of the treaty power may be implied from our fundamental system, by which many of the functions of government are distributed between the States and the nation, there is no doubt that in its strictly international relations the power of the Federal Government in this regard is unlimited, unless restricted by some other clause of the Constitution.

In the case of *Geofroy vs. Riggs*, 133 U. S. 258 (1889), it was said:

That the treaty power of the United States extends to all proper subjects of negotiations between our Government and the Governments of other nations is clear. . . . The treaty power, as expressed in the Constitution, is in terms unlimited except by those restraints which are found in that instrument against the action of the Government or of its departments, and those arising from the nature of the Government itself, and of that of the States. It would not be contended that it extends so far as to authorize what the Constitution forbids, or a change in the character of the Government, or in that of one of the

States, or a cession of any portion of the territory of the latter without its consent. But, with these exceptions, it is not perceived that there is any limit to the questions which can be adjusted touching any matter which is properly the subject of negotiation with a foreign country.

Among such questions there are none which are more proper or necessary for negotiation with foreign countries than those relating to the adjustment of differences of an international character arising between the United States and foreign nations or individuals. There is not, and never has been, any doubt that the United States can by treaty provide for the arbitration or decision by specially constituted courts of cases involving questions of this nature, and that the decision of such courts is as conclusive as any other decree.

In *Comegys vs. Vasse*, 1 Peters, 193, Mr. Justice Story, referring to the treaty of May 22d, 1819, between the United States and Spain, said:

The object of the treaty was to invest the commissioners with full power and authority to receive, examine, and decide upon the amount and validity of the asserted claims upon Spain for damages and injuries. Their decision, within the scope of this authority, is conclusive and final. If they pronounce the claim valid or invalid, if they ascertain the amount, their award in the premises is not re-examinable. The parties must abide by it, as the decree of a competent tribunal of exclusive jurisdiction. A rejected claim cannot be brought again under review in any judicial tribunal; an amount once fixed is a final ascertainment of the damages or injury.”*

The universal practice of all departments of the Federal Government, from the foundation of the nation until now, has been in conformity with this construction, as is evidenced by the long series of international disputes which have been submitted by treaty to mixed commissions or courts agreed upon by the contracting Powers, and whose decisions have been accepted and scrupulously performed.

No reason is perceived why, *prima facie*, a general agreement may not be made with other nations, provided for the submission of questions of a similar nature to a permanent tribunal, either

* Other cases to the same effect are the *La Ninfa*, 75 Fed. Rep., 513; *Sheppard v. Taylor*, 5 Peters, 675; *Frelinghuysen v. Key*, 110 U. S., 63; *Boynnton v. Blaine*, 139 U. S., 306; *La Abra Silver Mining Co. v. United States*, 175 U. S., 423.

as a court of first instance, or after a preliminary trial in the courts of the various nations. That the United States has the same power as any other nation of the world to establish treaty courts in other countries for the adjudication of cases involving the rights of her own citizens, has been already decided *in re Ross*, 140 U. S. 453. From a consideration only of the grant of the treaty-making power, therefore, it would seem clear that unless restricted by some other clause of the Constitution, the Federal Government has the power to provide for the judicial decision by international courts of any question of an international nature, either in the first instance or after a preliminary trial in the courts of its own country.

The second, and more difficult question, is whether the grant of the judicial power of the United States to the Supreme Court and such inferior courts as Congress may from time to time establish is a limitation of the power of the Federal Government to provide by treaty for the judicial settlement of questions of an international nature, and particularly whether it is a denial of the power to provide for the appeal of prize cases to the proposed court at The Hague.

The Constitution of the United States provides, Art. III, Sec. 1:

The judicial power of the United States shall be vested in one Supreme Court and in such inferior courts as the Congress may from time to time ordain and establish.

Art. III, Sec. 2:

The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made under their authority; . . . to all cases of admiralty and maritime jurisdiction

Art. I, Sec. 8:

The Congress shall have power . . . to constitute tribunals inferior to the Supreme Court

It is argued from these provisions that the judicial power of the United States is exclusively vested in the Supreme Court and such inferior courts as Congress may from time to time establish, and that the Federal Government cannot by treaty or

act of Congress provide for the removal of causes from the municipal courts of the United States to a court located in a foreign country, not constituted by the Congress of the United States, and superior in authority to the Supreme Court of this nation.*

It will be perceived that the whole of the argument is that the words "judicial power of the United States" include all judicial power which can be exercised in prize cases originating in the courts of the United States so as to preclude the exercise of judicial power in such cases by an international tribunal. That this argument is based upon a misapprehension will appear from the following propositions, which I will now state.

1. The judicial power of the United States, while it comprehends them in the first instance, does not extend to the final adjudication of the rights of foreign nations or individuals which are necessarily involved in prize cases.

The phrase "judicial power of the United States" must be construed in the light of the rules of international law generally accepted now, and at the time these words were written into the Constitution. The jurisdiction over questions of prize is, by the rules of international law, in the courts of the belligerent captor. But the judicial power of the belligerent captor does not extend to a final decision of the cause. The adjudication by its courts may be effective to pass title to property involved, but as between the captor and neutral Powers or individuals, it is no more than an expression of opinion that the seizure was regular and justifiable, and a declaration that it is adopted by the captor nation as its act. Where the rights of foreign citizens or subjects are adjudicated by municipal courts in ordinary cases, the decision is accepted as conclusive because the court by the voluntary act of the alien has acquired jurisdiction of the person or the subject

* This view is supported somewhat by the dictum of Justice Story in *Martin v. Hunter's Lessee*, 1 Wheaton, 304-330, where he says:

"Congress cannot vest any portion of the judicial power of the United States, except in courts ordained and established by itself; . . . It would seem, therefore, to follow, that Congress are bound to create some inferior courts, in which to vest all that jurisdiction which, under the constitution, is exclusively vested in the United States, and of which the Supreme Court cannot take original cognizance. They might establish one or more inferior courts; they might parcel out the jurisdiction among such courts, from time to time, at their own pleasure. But the whole judicial power of the United States should be, at all times, vested, either in an original or appellate form, in some courts created under its authority."

This dictum was mentioned with approval in *Robertson v. Baldwin*, 165 U. S., 275-278. Brown, J.

matter. But when a prize is captured upon the high seas, it is taken by force and against its will before a hostile court, where the examination is conducted as to the validity of the capture. Under these circumstances it is not only just and equitable, but well settled by the rules of international law, that the decision of such court is not conclusive of the rights of any foreign nation or individual. The action of the judicial department of a nation in this regard is no more final than is that of the executive department in a similar case; in each instance the matter becomes a subject for international adjudication.

This question as to the conclusiveness of a judicial decree by a court of the captor was elaborately considered in the case of the "*Betsy*," which was decided by a mixed commission appointed by the United States and Great Britain, under Art. VII of the Treaty of November 19th, 1794 (*Moore-Int. Arb.* 3,160). It was the opinion of one commissioner that the sentence of condemnation having been affirmed upon appeal to the supreme tribunal of the belligerent captor, the Lords Commissioners of Appeals of Great Britain, the commission should be bound by that decision. This view of the case was repudiated by all other members of the commission, both British and American. They held upon abundant authority that the commission had jurisdiction to reconsider the whole case and to reverse the decision of the supreme tribunal of the belligerent captor, if in their judgment it was not in accordance with the facts and the law. Mr. Pinckney one of the commissioners, said in his opinion (*Moore-Int. Arb.*, p. 3,186):

If admiralty decrees are to carry along with them incontrovertible evidence of their own legality—if they are to be sheltered by a veil of imaginary sanctity from all scrutiny or examination into their merits, and if they are to pass upon the world for just, although palpably oppressive, it is in vain that the law of nations has circumscribed prize cognizance and laid down rules of conduct to those to whom it is committed. No sophistry can establish this position that although a flagrant wrong has been done by one nation to another, under the pretext of the law of nations, that very law prohibits retribution, or that an injurious act becomes to all effectual purposes a lawful one for no other reason but because it has been done.

The final decision by the courts of the captor is deemed to be a denial of justice if thought erroneous by the foreigners whose rights are involved, and the case at once becomes a subject for diplomatic correspondence or international adjudication.

But the moment the decision of the tribunal of the last resort has been pronounced (says Wheaton, Par. 392, 4th Ed.) (supposing it not to be warranted by the facts of the case and by the law of nations applied to those facts), and justice has been thus finally denied, the capture and the condemnation become the act of the State, for which the sovereign is responsible to the Government of the claimant.

This principle of international law, that the judicial power of the belligerent captor does not comprehend a final decision of international questions arising in prize cases has been fully recognized and acted upon many times by the Government of the United States in that many cases of prizes decided by our Supreme Court have been thereafter submitted to international commissions, which have reviewed the judgment of that court and in a number of instances have determined it to be erroneous. These decisions have been uniformly submitted to by all departments of the United States Government and money paid or property delivered in accordance with their terms.

In the case of the "*Hiawatha*" (Moore-Int. Arb., p. 3,902) the Supreme Court of the United States had affirmed the judgment of the lower court (2 Black. 635) in condemning the vessel and cargo as a prize, on the ground that at the time of her capture she was attempting to break the blockade established by the United States vessels in Hampton Roads. The question was subsequently submitted to the Claims Commission, established under Art. 12 of the Treaty of Washington, May 8th, 1871, between Great Britain and the United States. The commission awarded damages to the claimant of the vessel and of a portion of the cargo, apparently on the ground that the Supreme Court of the United States was in error in finding that the vessel was attempting to violate the blockade, or that any legal blockade existed at the time of the capture.

In the case of the "*Circassian*" (Moore-Int. Arb., p. 3,911) the vessel was condemned as a prize and the decision affirmed by the Supreme Court of the United States (2 Wall. 135). The

case having subsequently been submitted to the same commission, large awards were made in favor of the claimants. The judgment of the Supreme Court of the United States that the "Circassian" was guilty of attempting to run the blockade was held to be erroneous. The English, American and Continental view of what constituted violating a blockade was much considered in the argument of this case, and the decision in part, no doubt, was based upon the belief that the Supreme Court of the United States was in error in its construction of the law.

In the case of the "Springbok" (Moore-Int. Arb., p. 3,928), the vessel having been awarded to the claimants by the Supreme Court of the United States, and the cargo condemned (5 Wall. 1), the commission, disregarding the judgment of the Supreme Court in this respect, awarded the claimants damages for the detention of the vessel.

In the cases of the "Sir William Peel," the "Dashing Wave," the "Volant" and the "Science" (Moore-Int. Arb., pp. 3,935, 3,948, 3,950), the question involved was whether the vessels were in neutral waters at the time they were captured. The decision of the Supreme Court of the United States with regard to the "Sir William Peel" (5 Wall. 517), the "Volant" (5 Wall. 179), and the "Science" (5 Wall. 178) were reversed in part, and damages awarded to the complainants. In the case of the "Dashing Wave" (5 Wall. 170) the judgment was affirmed.

While it may be incorrect to say that these cases were actually reversed in the sense in which we use the word in connection with ordinary cases of appeal, yet the fact remains that the decisions of the Supreme Court of the United States were reviewed at length by the commission, and that contrary conclusions were reached. For all practical purposes these were reversals, and the awards in each case were accepted by the United States, and their terms carried out.

There are a number of other cases considered by commissions in which the decisions of the Supreme Court of the United States were determined to have been correct. Among these may be mentioned:

The "Peterhof," 5 Wall. 28; 4 Moore-Int. Arb., 3,838-3,843.

The "Georgia," 7 Wall. 32; 4 Moore-Int. Arb., 3,957-58.

"Isabella Thompson," 3 Wall. 155; 4 Moore-Int. Arb., 3,159.

The "Pearl," 5 Wall. 574; 4 Moore-Int. Arb., 3,159.

The "Adela," 6 Wall. 266; 4 Moore-Int. Arb., 3,159.

The "Ouachita Cotton," 6 Wall. 521; 3 Moore-Int. Arb., 3,232.

This universal practice, concurred in by all departments of Government, is strongly corroborative of the view expressed that the judicial power of our courts should not be construed to extend to the final settlement of such questions.

I conclude that under the generally-accepted rules of international law existing at the date of the adoption of the Constitution the grant of the judicial power of the United States does not include the power to decide finally the rights of foreigners involved in prize cases. The clause which vested the judicial power in the Federal courts is not, therefore, a denial of the power to provide by treaty for the ultimate decision of such questions by international tribunals.

2. The grant of the judicial power of the United States to the Federal judiciary does not limit the power to provide by treaty for the judicial decision of questions of an international nature.

It may be thought unnecessary and, perhaps, unwise to consider a broad proposition such as this, in view of the fact that the conclusion already reached is sufficient to decide the question now under discussion. It cannot fail, however, to add strength to the argument, if it should on investigation develop that the power of the Federal Government to provide by treaty for the judicial decision of questions of an international nature is in no case limited by the grant of judicial power to the Federal judiciary.

The proposition above stated recognizes that there is a judicial power which is international and may be exercised by one nation only in co-operation with others. This power comprehends questions of an international character, and is exercised through the medium of international commissions or courts designated or erected by treaty. The judicial power of the United States, or of any nation, extends to a final adjudication of all cases involving only questions of municipal law and in which the decisions of its courts are not re-examinable by any international court or

commission; it does not, however, extend to a final decision of questions which are international in character. There is no doubt that the courts of the United States may for convenience examine such questions when they arise in cases properly brought before them, always subject, however, to the power of the Federal Government to provide by treaty for their decision by other tribunals. In other words, there is a class of cases which are purely municipal and are exclusively within the scope of the judicial power of the United States; there is a second class of cases which are purely international and are entirely without the judicial power of the United States, and within that exercisable only in pursuance of treaties; and there is a third class which, while cognizable by national courts, also give rise to questions, the decision of which may involve us in international difficulties. In the latter class the power of the Federal courts to decide such questions is likely to be taken away through the exercise of the treaty power, whenever it is deemed expedient by the Federal Government. The relation between the treaty-making power in this regard and the national judiciary is not unlike that existing between Congress and the State Legislatures in those matters over which they have concurrent jurisdiction; Congress may decide how much, if any, of this common ground may be occupied by the State legislation. So in the matter of the judicial decision of questions of an international nature, the Federal judiciary may decide them when they arise in cases properly before them, yet when the treaty-making power steps in and provides another method, that method takes precedence.

The judicial decisions of the highest courts of the United States and the practice of the government from the foundation of the nation demonstrate the truth of what has been said. There is no doubt that the judicial power of the United States comprehends the decision of all cases arising within its territorial jurisdiction, even though both litigants may be citizens of a foreign country, and complications with foreign nations are likely to arise out of them. It is equally undoubted, however, that the United States may by treaty disturb the exercise of such jurisdiction or destroy it altogether, by providing for the trial in consular courts erected by treaty, of such causes, both civil and criminal,

although formerly cognizable in courts of the United States. By many treaties now existing, claims for wages between the crew of a vessel and the master or owner thereof, and other similar questions, are to be tried in consular courts, and not by the courts of the country where the vessel happens to be. In the "*Elwine Kreplin*," 9 Blatch., C. C. 438, it was held by a United States Circuit Court that it had no jurisdiction of a dispute of this kind over wages; that the jurisdiction of a consular court erected by treaty was exclusive of that of the Federal courts. On application to the Supreme Court for a mandamus to compel the Circuit Court to take jurisdiction (*Ex Parte Newman*, 14 Wall. 152), it was argued that the treaty, if properly so construed, was unconstitutional, because

It strips the courts of the United States of the admiralty jurisdiction conferred on them by the Constitution of the United States.

Nevertheless, the mandamus was denied, the Supreme Court apparently approving the decision of the lower court in its entirety, and certainly doing so to the extent of holding that the consular court had jurisdiction and the Circuit Court had discretion whether or not to take jurisdiction. The correctness of this ruling that such courts may lawfully adjudicate cases involving questions affecting foreign nations or individuals is not open to doubt.

The "*Belgenland*," 114 U. S. 355, 364.

The "*Bound Brook*," 146 Fed. Rep. 160.

The "*Salomoni*," 2 Fed. Rep. 534.

Tellefsen vs. Fee, 168 Mass. 188.

Norberg vs. Hillgreu, 5 N. Y. Leg. Obs. 177.

The case of *in re Ross*, 140 U. S. 453, mentioned in the report of the delegates to the Second International Peace Conference at The Hague, while not authority for the proposition that the proposed international prize court is constitutional, fully upholds the power of the United States to create a consular court in a foreign country and to provide for the trial therein of cases which under other circumstances might be tried by the courts of the United States. In the decision of that case Mr. Justice Field said:

The treaty-making power vested in our Government extends to all proper subjects of negotiation with foreign governments. It can equally with any of the former or present governments of Europe make treaties providing for the exercise of judicial authority in other countries by its officers appointed to reside therein.

This language makes it clear that the power to establish consular courts at least is not restrained by the grant of the judicial power to the courts of the United States.

In the very matter of prizes which we are now considering, the practice of the United States Government strongly tends to uphold its power by treaty to provide for the adjudication of prize cases. We have already seen that the final settlement of such cases has been undertaken many times in the past by special commissions, and no good reason is observed why that may not be done by a permanent court, which previously has been done by special temporary courts in particular cases. Furthermore, an examination of the treaties which have been concluded in the past, and the correspondence undertaken in connection therewith, shows that the treaty-making power has been considered from a very early period to comprehend the power to provide special tribunals for the adjudication of prize cases, even in the first instance. For example, in 1789 the United States Ministers, Charles C. Pinckney, John Marshall and Elbridge Gerry, in a communication to the Minister of Foreign Affairs of the French Republic, said:

Another doctrine advanced by Mr. Genet is, that our courts can take no cognizance of questions, whether vessels, held by them as prizes, are lawful prizes or not; that this jurisdiction belongs exclusively to their consulates here, which have been lately erected by the National Assembly into complete courts of admiralty.

Let us consider first what is the extent of the jurisdiction which the consulates of France may rightfully exercise here. Every nation has, of natural right, entirely and exclusively all the jurisdiction which may be rightfully exercised in the territory it occupies. If it cedes any portion of that jurisdiction to judges appointed by another nation, the limits of their power must depend upon the instrument of cession. The United States and France have, by their consular convention, given mutually to their consuls jurisdiction in certain cases especially enumerated. But that convention gives to neither the power of establishing complete courts of admiralty within the territory of the other, nor even of

deciding the particular question of prize or not prize. The consulates of France, then, cannot take judicial cognizance of those questions here.*

This language is of importance because, being a discussion whether the treaty with France had conferred upon her consular courts in this country full authority in admiralty cases involving French vessels, it contains not a hint of any lack of power in the United States by treaty to make such provision.

In the long discussion which took place in that period, between the United States and France, there are many such expressions by the representatives of the United States, and, so far as I am aware, never a suggestion of a lack of power to make any provisions with regard to the adjudication of prizes which the two nations might agree upon. The treaty with France then negotiated, and many other treaties which have been concluded since,† have contained a clause providing: "It is further agreed that in all cases the established courts for prize causes in the country to which the prize may be conducted shall alone take cognizance of them." Halleck, Vol. 2, page 427, Sec. 5, interprets this clause as conferring authority upon the courts of neutral nations to which prizes may happen to be conducted to adjudicate upon them. While this interpretation is not believed to be warranted by the contemporary history of the clause‡ which first

* State Papers and Publick Documents of the United States, Vol. 4, p. 106.

† Among other treaties may be mentioned those with Colombia, October 3, 1824, Art. 21; Central America, December 5, 1825, Art. 28; Brazil, December 12, 1828, Art. 28; Chile, May 16, 1832, Art. 21; Peru-Bolivia, November 30, 1836, Art. 20; Ecuador, June 13, 1839, Art. 24; Bolivia, May 13, 1858, Art. 24; Colombia, December 12, 1846, Art. 24; Hayti, November 3, 1864, Art. 28; Peru, August 31, 1887, Art. 25.

‡ The contemporary history of this clause shows, I think, that it was intended merely to prevent irregular condemnation of prizes by other than established courts, as had previously been the practise of the French nation. In the instructions issued to the American Commissioners by the Secretary of State, occurred the following paragraphs, which make it clear that such was their purpose. In paragraph 22 it is said:

"Prizes ought to be conducted to the country to which the captors belong, unless the two parties are engaged in hostilities against a common enemy. But in this case the established courts for prize causes in the country to which the prizes are conducted should alone take cognizance of them."—Annals of Congress, 6th Congress 1799-1801, Col. 1118.

In paragraph 27 of his instructions, the Secretary said:

"But a still greater evil remains, and more difficult to remedy—the improper institution of prize courts. Probably no provision can be explicitly made, other than that each party will take effectual care that the judgments and decrees in prize causes shall be given conformably to the rules of justice and equity, and the stipulations of the treaty, and without any unnecessary delay, by judges above all suspicion, and who have no manner of interest in the cause in dispute. It would be some check on the judges in prize causes if their reasons for condemning were required to be stated, with the other proceedings, in writing; and copies of the whole should, if demanded, be delivered to the commander or agent of the captured vessel without the smallest delay, or, at furthest, within fifteen days after sentence pronounced, and sooner if practicable, and at the expense

appeared in the treaty with France of 1800, its existence is nevertheless clear evidence that the Federal Government has considered itself competent to deal with the question of the establishment or designation of prize courts by treaty.

I conclude that the grant of the judicial power of the United States to the national courts does not limit the power of the Federal Government to provide by treaty for the decision of any question of an international nature. Being not so limited, the United States may by treaty provide for the adjudication of prize cases in any manner it may deem expedient, either in an international court of first instance or after a primary decision in its own courts.*

It may, perhaps, be thought a startling doctrine that the Federal Government may by treaty establish courts to exercise a portion of the jurisdiction vested by the Constitution in the

of the captors (in case of condemnation), not of the captured, who are otherwise sufficiently distressed.

"Prizes, as already observed, should be conducted into the ports of the party at war, or of an associate in the war, and there adjudicated by the regular tribunals. The French have conducted their prizes into neutral as well as belligerent ports; and, when there was no Consul to try and condemn, leaving there the prizes, they have carried the papers to a distant place to find a French tribunal; and there, in the absence of the captured party, procured sentences of condemnation, and sold the prizes. The same mode of obtaining condemnation has been uniformly practised when they carried their prizes into the ports of an associate in the present war. But, without waiting for the result of this farcical trial, it has been common to unlade and sell the cargoes as soon as they reached a port."—Annals of Congress, 6th Congress, 1799-1801, Col. 1120.

In the preliminary draft of the treaty which was submitted by the American Commissioners the language of Art. XXVIII, which subsequently became Art. XXII of the treaty, was as follows: "It is further agreed that all prizes shall be conducted to a port of the party at war; and, in all cases the established courts for prize causes in the country to which the prizes may be conducted shall alone take cognizance of them."—Col. 1160.

A careful search of available documents with regard to the negotiations of this treaty has failed to show why the language was changed to read in Art. XXII as follows: "It is further agreed that in all cases the established courts for prize causes of the country to which the prize shall be conducted shall alone take cognizance of them." I think, however, that it is fair to assume the reason for this was an apparent admission by both parties that where there were allies engaged in war, the prize might be conducted into the courts of either and the adjudication there had. It is probable that the words omitted were stricken out for the purpose of permitting the conduct of prizes to the courts of the ally, as well as of the captor, and that there was no intention to provide for the adjudication of prize cases in the courts of neutrals.

* A suggestion has been made that questions which are ultimately to be decided by commissions or courts established by treaty are not judicial questions, and will not be taken cognizance of by courts of the United States; and that in the event of a provision for appeals from district courts or from the Supreme Court of the United States to the international prize court at The Hague, the courts of the United States will decline to take jurisdiction of prize cases in the first instance. It is not perceived that this argument has any substantial merit. As we have seen, the decision of such cases in so far as they involve the rights of foreign nations or individuals have never been final, but have always been subject to reversal by a temporary international court or commission. This has not hitherto interfered with the assumption of jurisdiction by the lower courts and no reason is perceived why it should do so in future. Furthermore, a mere provision by treaty for the final solution of such questions in a regular permanent manner would in no wise change the essential nature of the questions involved; as they have been judicial heretofore, they will continue to be judicial hereafter.

national judiciary. But this power will necessarily be limited to cases involving questions of an international nature, such as those now under discussion. In matters concerning only questions of municipal law there could be no such interference.

Even if it were not abundantly upheld by authority, the power of the United States to provide by treaty for the judicial determination of all cases of an international character could be upheld on the ground of necessity and from the nature of the thing. The people, in whom was vested all governmental power, committed to the legislative and executive authorities the great powers to declare war, make peace and conclude treaties. The management of foreign relations was in general and unlimited terms committed into their hands. What could be more intimately connected with these functions or more necessary to their exercise than the power to provide for the judicial decision of questions likely to involve us in international difficulties; and what more unlikely than an intention to limit powers necessary for the preservation of our national existence, by any grant to a department of government destined to operate exclusively upon the inhabitants of the United States or others who voluntarily bring themselves within its authority. It is a very reasonable assumption that our fathers intended the grant of judicial power to be exercised within the limits of the United States to be subject to the great and unlimited power of making treaties which was to regulate our relations with all of the peoples of the earth.

DISCUSSION.

EDWIN D. MEAD, Esq., Boston, vice-president of the American Peace Society: Mr. President, Ladies and Gentlemen: I do not feel competent, not being a lawyer, nor should I in any case venture, without leisurely consideration, to discuss the technical address by the very able and acute scholar who has last spoken. I think that that will receive attention from the gentleman who will follow me. As concerning the two illuminating and stirring addresses which preceded, and which the lay mind more easily grasps, it seems to me that they demand debate less than they demand to be thought about, and to be endorsed by us. Chiefly, it seems to me they move us to rejoicing; indeed, I think the

misfortune of a great many of us who are in the peace movement, and are earnest to secure that complete organization of the world which is our desire, I think perhaps our danger is to forget the wonderful advancement of these last ten years. I venture to say that never in human history did a great cause achieve so much as was achieved for ours by The Hague Conferences of 1899 and 1907. The very titles referred to in connection with the eminent international jurists and officials who presented the first two papers, these titles themselves, as we look back for ten years, are something wonderful. What do they mean? The very fact that we are being addressed here to-day, less than ten years after the assembling of the first Hague Conference, by one who was an agent of the United States Government in the Pius Fund Case, and one who was an agent in the Venezuelan Arbitration Case. If we had been told ten years ago that there would be such a thing to-day as an international tribunal, we should have hardly believed it; yet here we are looking back into the past and considering details in which the United States had a part before we realized an international tribunal.

And that is not all. We not only have an international tribunal, but, as you have been reminded, we have an international prize court. We have the provision for impartial commissions of inquiry into such cases, brought by nations which were parties to The Hague Conference, as cannot be settled by diplomacy. We have, by the measures enacted at The Hague last year, the assurance that after a little The Hague Conference, the International Parliament, will meet as regularly, almost as automatically, to consider the mutual need of nations as the Congress of the United States or the Parliament of England.

More than that, we have heard something about this arbitral court of justice, and we have Secretary Root's word for it—and there is not a lover of the Peace Cause who would not take Elihu Root's word for a thousand pounds, or anything else—we have his word that in this court the negotiation for its judges will probably be so settled that that court will probably be established before the next conference.

Do you know what that means? It means that we are living in a world revolutionized from that in which we awoke ten years

ago. I am glad that Mr. Ralston has led you in rejoicing that America has taken the part in it which she has. I think we do not remember proudly and gratefully enough, and do not assert sufficiently, the part America has taken in this great program, and especially in its prophetic inauguration. No man honors more than I do the Russian Czar for his part in the call or invitation to the first Peace Conference; but I wish you to remember that the ideas which brought The Hague Conference together were not primarily the ideas of any Russian Czar. All honor to him for whatever good he has led to; but the energetic, democratic thoughts of American democrats rise in memory one after another—Ellery Channing, William Burke, William Jay—one after another demanding in great congresses in Europe that that program should be carried out which finally was carried out at the invitation of the Czar of Russia. This was what *they* said. Indeed, it was known colloquially all over Europe as the “American plan,”—that there should be called an official congress of the nations to codify international law and institute an international court. It was the American plan, and it is for America still to continue her prophetic lead, until every plank of our international platform is enacted into international law.

When the talk is of treaties of arbitration and whether they should include every dispute whatsoever I wish to refer you to something done here in America, which I think is too much forgotten. I have heard nothing lately in which I have so much rejoiced as this address of Mr. Ralston’s, showing the utter futility of the arguments for exceptions, made by some acute men. I wish to remind you of the session of the American Arbitration Convention, held in Washington in January, 1904, at which I have no doubt Mr. Ralston was present, as I am very sure Mr. Penfield was, and of which I had the honor to be a member. It was a gathering of two hundred Americans interested in international arbitration, for what has seemed to me the most important arbitration conference yet held here, presided over by Hon. John W. Foster, formerly our Secretary of State, whose memorable letter in a Washington paper I hope you all read—Mr. Foster, who is going to preside for us at the great Lake Mohonk Conference. Resolutions were prepared and submitted to that con-

vention, and unanimously endorsed by these two hundred men. These resolutions were prepared by a committee of whom the chairman was Hon. George Gray, of Delaware, and Hon. Oscar Straus, both members of The Hague court.

And what was the resolution which they submitted, and which was unanimously endorsed by that whole gathering? It was that our government, in the arbitration treaty which it was at that time debating with England, and which it was hoped would be embodied in treaties with other nations, that our Government be urged in that treaty to submit to The Hague Court, or to a special arbitration commission, every case whatever, every dispute whatever, that could arise between this nation and other nations which was not settled by diplomacy. That resolution was unanimously endorsed by the great convention of leading men of this country.

I happen to know some of the secrets of the committee that discussed these things. The outline of a resolution submitted for consideration had some of those parrot-like, hackneyed phrases about vital interests, and honor, and all that sort of thing, and one of the gentlemen whom I have mentioned said to his friends, "Do we not know that this country has again and again arbitrated questions of honor, so-called, arbitrated vital interests, arbitrated every category of cases that can possibly come in dispute in this country? Let us have done with the quibbles. Let us submit the whole thing, because no question of honor is so important as to be measured with the dishonor which would come to this country by refusing to submit a case to an impartial tribunal, for fear we had not a strong enough case to give a decision on our side." That was supported and endorsed.

I am glad reference has been made to the Alabama case, because if there ever was a case which involved honor and vital interests, it was that case. Do you know what the Alabama and other cruisers had done to the United States? They had almost swept her commerce from the sea. They might have wrought such damage as would have almost endangered the life of the republic. Yet America was willing to submit that to arbitration, and it remained the historic and heroic precedent of the age.

Let us stand by the vote of that great convention in Wash-

ington in 1904, and let us insist more and more, in the treaties which are coming, that all questions shall be submitted to arbitration, because it is the failure to do that which gives our friends who are so enamored of great armies and navies their great stand, that it is for this we must keep up our big armies and navies. Let America prophetically and courageously lead the world in this thing, as she has in the great program now being realized, and she will indeed do her part as never before—these United States to prepare the United World which she has so gloriously prophesied.

CHAIRMAN POTTER: It remains now but to put the finishing touches to what has been a feast of reason. That will be done by our own Dr. William Draper Lewis, dean of the Law Department, University of Pennsylvania.

DR. LEWIS: I wish to say a word in regard to the very able and interesting paper of Mr. White, because I am sure you will all agree with me, as we are all interested in the establishment of this international court that we do not, after it gets established, want to be held up by some technical constitutional point.

I think all the lawyers here present, and everybody else, will agree in two propositions in Mr. White's paper. One is that it is an appropriate subject of the treaty-making power to establish such an international court. The second is that as the treaty-making power is exercised under the Constitution, it cannot be so exercised as to alter the Constitution. Therefore, however desirable this international court may be, if it does alter the Constitution of the United States, we cannot do it without an amendment to the Constitution of the United States.

The third article provides that the judicial power of the United States shall be vested in certain courts. These courts, except the Supreme Court, can be established by Congress. Supposing Congress should recognize this international court as a court of the United States, would that satisfy the Constitution? Would it be a court established by Congress? Mr. White in his paper, as I understand it, has assumed that that question has been answered in the negative. I am not by any means certain of

that. I think a very strong argument can be made that it would be a court established by the United States.

When one interprets the Constitution, the words are to be taken in their broadest sense. As Marshall once said, it is a Constitution which you are interpreting; therefore, I am not by any means certain that this court does not satisfy entirely the Constitution of the United States, by being established by Congress after it has passed the necessary legislation. Suppose, however, that it is not a court established, how are you going to get around the third article of the Constitution?

Mr. White has suggested one way. It is that the judicial power does not always have to be exercised by courts established under the third article of the Constitution; that prize cases or cases involving international law by implication are kept out.

That is a very strong argument. I by no means say it is a conclusive argument; but I do say that it is a pretty dangerous argument to imply things in a written document. You have to have a plain ambiguity in the document before you can imply things; therefore I am going to assume, although I am by no means sure I have to assume, that this is a court not established. If it is a court in the constitutional sense of the word, then we cannot do it.

What are the classes of questions which would come before that court? As far as we are concerned, there are two. They are cases between foreign countries or the citizens of foreign countries, with which we or our citizens have nothing to do. Of course the Constitution has nothing to do with that. Then there is a case, say, the United States having captured a vessel in war, either from a belligerent power or a neutral. The international court decides that the United States has not the right to capture that vessel or keep it. The United States gives up the vessel. If the United States has a piece of property, whether it has captured it in war or not, it can do with that property pretty much what it chooses, and it is certainly constitutional to give it up. It might give it up of its own motion, and it can give it up on the motion of a legal expert body. Therefore, that court does not in that sense exercise any judicial power. Therefore, I have not the slightest doubt, whether you regard that court as a court

established by a Congress or not, or whether you regard it possible to have a jurisdiction outside of the third article, that that tribunal at The Hague, or the prize court, does not pass on a judicial question. It merely asserts a fact, on which fact the Congress of the United States declares we will give up property that we have taken.

There is, however, one detail in the establishment of this court which I cannot but look on as very dangerous from a constitutional point of view. That is the appeal that lies from the Circuit Court of the United States to the international court. Now, the difficulty is not with the international court. The knotty question is whether the Circuit Court of the United States, when it is asked to pass on a question, which question, after it has passed on it, is going to be passed on by a court not of the United States, is then passing on a judicial question—whether the Circuit Court of the United States will not say, “You have asked us to discuss an academic question, and we will not discuss it.”

That would be a very unfortunate constitutional point to raise. The question in that form has never come before the Supreme Court of the United States. The cases which Mr. White has stated will not meet that point at all. Those cases are divided into two general classes. One is a case which the United States Supreme Court has had in a particular instance, where the vessel belonged to the United States. The United States said, “We will give it up anyhow.” That is perfectly proper. That did not prevent the question from being a judicial question; but a general law which says to the court of the United States, “When you pass on the question we will, as a matter of law, send that particular case to be decided by another tribunal,” it is a different matter. Are you not asking the court to pass on a mere academic question?

The other cases are cases of this character arising outside of the territorial limits of the United States. If you will look at the cases, you will see that the Supreme Court says the Constitution does not in that sense follow the flag; it does not have anything to do outside the territorial limits of the United States.

While I do not say that these cases cannot be used as arguments as bearing on the question, they do not leave the matter in a

very satisfactory shape. There is a particular decision of the United States Supreme Court that is more or less in point. It was this. The United States passed a law that said that any claim against the United States could be presented, and certain of these claims should be appealed to the Supreme Court of the United States; and when it had given judgment against the United States, then Congress or the Secretary of State would make up its mind whether it would pay that claim.

When the Supreme Court got that case it said, "We will not have anything to do with it. When we pass on it we must have power to finally settle it, and if not we will not pass on it. You are merely asking us to pass on an academic question." There is no power in Congress or the executive to force it to pass on an academic question.

I think I have made the point or difficulty in my mind clear. This particular convention contemplates an appeal from the Circuit Court of the United States to a court which is not, we will say for the purpose of argument, a court of the United States. Now, will the Circuit Court of the United States take this position, that they will not pass on any question which they cannot finally decide?

I think there is enough in that point to make all of us, who are anxious that this new court shall be successful, very squeamish, if I may put it that way, of adopting the plan or putting it in operation on an appeal from the Circuit Court of the United States. I by no means say that I am convinced that the Circuit Court of the United States would not act on it, or if they acted on it, would act on it as a matter of grace and favor, not as a matter of right. Then you would ask a mandamus, and then the Supreme Court might tell you that the whole scheme was unconstitutional; and I do not think that we want to get in that position. The important thing in this Hague convention is not that this court shall be established, but that this government is willing to say beforehand, before any case has arisen, that they will submit a certain class of cases to that court. That is the thing we are after. We don't care whether it is from the Circuit Court of the United States or not.

The ways out of the difficulty are two. One is, to allow all

the cases to go at first instance to the international court, or, if that is cumbersome, to permit the President to appoint a commission, a local prize court you could call it, a prize court from the point of view of the foreigner. The questions which go to The Hague could first come before that commission and from their decision either party would have a right to appeal.

Therefore, while this is an interesting constitutional point, I do think we ought not to escape from the point that it is particularly important. A great many good reforms have been held up because they are unconstitutional, and I am frank to say that I think it is a matter of practical wisdom that we urge that a method be adopted which is unquestionably constitutional in the establishment of an international court.

CHAIRMAN POTTER: If any one else wishes to cast any further light on this subject, we shall be glad to hear from him. If not, we thank you for your attention.

Fourth Session

THE HAGUE CONFERENCES

MONDAY EVENING, MAY 18TH

The fourth session of the Conference, held in the Academy of Music, Philadelphia, on Monday evening, was devoted to the consideration of "The Past and the Future Achievements of The Hague Conferences."

The meeting was called to order by Franklin Spencer Edmonds, chairman of the Executive Committee, who said:

"When the sessions of the Pennsylvania Arbitration and Peace Conference were planned, the Program Committee had in mind that the chairman of the Congress Committee would see to it that invitations would be extended for public men to be present on this occasion. We turned naturally to the foremost statesmen of our Commonwealth, the Honorable United States Senator Philander C. Knox, and extended to him an invitation to serve as permanent chairman of the convention, and to preside at this meeting. The Senator accepted the invitation, subject to call of public duties, and now we regret to announce that this afternoon a telegram was received announcing that the press of public business made it impossible for him to be present with us this evening.

"Upon receipt of this telegram we turned naturally to our own distinguished fellow-townsmen, who has been a leader in all good works, and whom I have persuaded at this time and on this occasion to preside at this meeting. I therefore have great pleasure in introducing to you the Honorable Dimmer Beeber."

Mr. Beeber said:

"MR. CHAIRMAN, LADIES AND GENTLEMEN: I can well excuse our chairman, because there is nothing else for me to do. I was conscious of the shade of disappointment that passed over this audience when it learned that our distinguished United States Senator was unable to be present by reason of the press of his public duties. I confess to some feeling of pleasure that the

friends of this movement have honored me in this way. While I am conscious of the fact that the honor is altogether beyond my deserts, I must confess to the weakness that I understand is not uncommon, of being willing to accept the compliment even though undeserved.

"Upon an occasion like this, if Senator Knox could stand where I do, and look at this magnificent audience, I venture to say that he would feel that the public duty that kept him from this place could be nothing but pressure of business, upon an occasion such as this, to keep away from here the most distinguished man that Pennsylvania can produce.

"We meet on this occasion for the prime purpose of encouraging the promises of the universal acceptance of the principle of international jurisprudence. The subject is large; the men engaged in presenting it to the American people are amply equipped. We will have to-night gentlemen to discuss the different phases of this question, who have made it a close and earnest study for years. I am glad to say that the first gentleman to speak in this cause is a product of our own city. It gives me great pleasure to say that he is a graduate of the Philadelphia High School. The gentleman I am about to introduce enjoys the distinction of being the solicitor for the State Department at Washington. He has had the further honor of being appointed the delegate, the technical delegate, to the Second Hague Conference. He has studied this question with more direct reference to its legal difficulties, and he is to-night prepared to talk to you on the subject of an international court of justice, on the subject of the need of such a court.

"I therefore take great pleasure in introducing to you Dr. James Brown Scott, solicitor of the Department of State, Washington, Technical Delegate of the United States to the Second Hague Conference."

THE NEED OF AN INTERNATIONAL COURT OF JUSTICE.

JAMES BROWN SCOTT, PH.D.

In opening the National Arbitration and Peace Congress in the City of New York on the 15th day of April, 1907, the Hon. Elihu Root, Secretary of State for the United States of America, expressed, in a few apt paragraphs, the causes which have worked against general arbitration and the reasons which have prevented a more frequent recourse to the Permanent Tribunal of Arbitration at The Hague. I therefore beg to quote the following from his address:

It has seemed to me that the great obstacle to the universal adoption of arbitration is not the unwillingness of civilized nations to submit their disputes to the decision of an impartial tribunal; it is rather an apprehension that the tribunal selected will not be impartial. In a despatch to Sir Julian Pauncefote, dated March 5th, 1896, Lord Salisbury stated the difficulty. He said that:

"If the matter in controversy is important, so that defeat is a serious blow to the credit or the power of the litigant who is worsted, that interest becomes a more or less keen partisanship. According to their sympathies, men wish for the victory of one side or another. Such conflicting sympathies interfered most formidably with the choice of an impartial arbitrator. It would be too invidious to specify the various forms of bias by which, in any important controversy between two great Powers, the other members of the commonwealth of nations are visibly affected. In the existing condition of international sentiment each great Power could point to nations whose admission to any jury by whom its interests were to be tried it would be bound to challenge; and in a litigation between two great Powers the rival challenges would pretty well exhaust the catalogue of the nations from which competent and suitable arbiters could be drawn. It would be easy, but scarcely decorous, to illustrate this statement by examples. They will occur to any one's mind who attempts to construct a panel of nations capable of providing competent arbitrators, and will consider how many of them would command equal confidence from any two litigating Powers.

"This is the difficulty which stands in the way of unrestricted arbitration. By whatever plan the tribunal is selected, the end of it must be that issues in which the litigant States are most deeply interested will be decided by the one of one man, and that man a foreigner. He has no jury to find his facts; he has no court of appeal to correct his law, and he is sure to be credited, justly or not, with a leaning to one litigant or the other."

The feeling which Lord Salisbury so well expressed is, I think, the great stumbling block in the way of arbitration. The essential fact which supports that feeling is that arbitration too often acts diplomatically rather than judicially; they consider themselves as belonging to diplo-

macy rather than to jurisprudence; they measure their responsibility and their duty by the traditions, the sentiments, and the sense of honorable obligation which have grown up in centuries of diplomatic intercourse, rather than by the traditions, the sentiments, and the sense of honorable obligation which characterizes the judicial departments of civilized nations. Instead of the sense of responsibility for impartial judgment which weighs upon the judicial officers of every civilized country, and which is enforced by the honor and self-respect of every upright judge, an international arbitration is often regarded as an occasion for diplomatic adjustment. Granting that the diplomats who are engaged in an arbitration have the purest motives; that they act in accordance with the policy they deem to be best for the nations concerned in the controversy; assuming that they thrust aside entirely in their consideration any interests which their own countries may have in the controversy or in securing the favor or averting the displeasure of the parties before them,—nevertheless it remains that in such an arbitration the litigant nations find that questions of policy, and not simple questions of fact and law, are submitted to alien determination, and an appreciable part of that sovereignty which it is the function of every nation to exercise for itself in determining its own policy is transferred to the arbitrators.

What we need for the further development of arbitration is the substitution of judicial action for diplomatic action, the substitution of judicial sense of responsibility for diplomatic sense of responsibility. We need for arbitrators, not distinguished public men concerned in all the international questions of the day, but judges who will be interested only in the question appearing upon the record before them. Plainly, this end is to be attained by the establishment of a court of permanent judges, who will have no other occupation and no other interest but the exercise of the judicial faculty under the sanction of that high sense of responsibility which has made the courts of justice in the civilized nations of the world the exponents of all that is best and noblest in modern civilization.

It is a familiar doctrine that the shoemaker should stick to his last and that he should not go beyond it. It should be an equally familiar doctrine that lawyers and jurists of reputation are pre-eminently qualified to deal with questions relating to the organization and development of a court of justice. The opinion is not expressed, either directly or indirectly, that the layman should not have views upon this subject, and express them, but it would seem to be unarguable that the advice of the bench and the bar should be determinative in all questions relating to courts of justice.

The plan which the American delegation has had the honor to lay before the Conference is the result of direct instructions from the Secretary of State, who is not only a lawyer of distinction, but a leader of the bar. The explanation of the general principles relating to the establishment of a permanent court comes from our distinguished first delegate, who led the American Bar as long as he chose to remain in active practice.

It would seem, therefore, that a project outlined by one practitioner of distinction, and commended to your careful consideration by another no less distinguished member of the profession, must possess qualities which commend it to the consideration of the profession at large.

The American people, rightly or wrongly, are regarded as pre-eminently practical, and a project which commands their unanimous support, because it expresses their innermost desire, must be practical in the broadest sense of the term. But we believe that the project for the establishment of a permanent court will not merely commend itself to practitioners, but that it is susceptible of theoretical defense.

Before entering upon the detailed exposition of the project and presenting the fundamental principles underlying the proposed permanent court, I desire to call attention to the present court and to show its strength and its weakness,—in order that it may appear that our project develops the strength on the one hand and eliminates the weakness on the other.

The strength of the work of 1899 lies in the *idea* of a court for the settlement of international differences; its weakness consists in the fact that the machinery provided is inadequate for its realization.

I quote the following articles from the Convention of 1899:

Article XV. International arbitration has for its object the settlement of differences between States by judges of their own choice, and on the basis of respect for law.

Article XVI. In questions of a legal nature, especially in the interpretation or application of international conventions, arbitration is recognized by the signatory Powers as the most effective, and at the same time the most equitable, means of settling disputes which diplomacy has failed to settle.

Article XX. With the object of facilitating immediate recourse to arbitration for international differences, which it has not been possible to settle by diplomacy, the signatory Powers undertake to organize a Permanent Court of Arbitration, accessible at all times and operating, unless otherwise stipulated by the parties, in accordance with the Rules of Procedure inserted in the present Convention.

The intent of the framers of this remarkable convention is evident: Arbitration is to take up the task of settlement where diplomacy has failed, and reason thus thrusts itself between negotiation and the sword.

The signatory Powers agreed to organize a Permanent Court of Arbitration, and this court, so organized, was to be accessible at all times. It is common knowledge that no permanent court exists because no permanent court ever was established under the Convention, and it necessarily follows that if a permanent court does not exist that it is not accessible at all times, or indeed at any time. The most that can be said is that the signatory Powers furnished a list of judges from which, as occasion required, a temporary tribunal of arbitration might be composed.

It would further appear that the judges so appointed by the signatory Powers were not necessarily judges in the legal sense of the word, but might be jurists, negotiators, diplomatists or politicians specially detailed. In a word, the Permanent Court is not permanent because it is not composed of permanent judges; it is not accessible, because it has to be constituted for each case; it is not a court, because it is not composed of judges.

A careful examination of the sections previously quoted shows beyond peradventure that the framers contemplated the establishment of a court of justice to which differences of an international nature might be submitted for judicial consideration and decision.

Article XV. speaks of "judges of their choice," and indicates in no uncertain measure that the decision is to be based upon "respect of law." Article XVI. lays stress upon questions of a judicial nature and declares that arbitration is recognized as the most efficacious and the most equitable method of settling conflicts of this nature.

It requires neither argument nor intellectual acumen to dis-

cover the intent of the Convention in the wording and in the spirit of the act itself.

To decide as a judge, and according to law, it is evident that a court should be constituted, and it is also evident that the court should sit as a judicial, not as a diplomatic or political, tribunal. Questions of special national interest should be excluded because the intent clearly is to decide a controversy, not by national law, but by international law. A court is not a branch of the Foreign Office, nor is it a chancellery. Questions of a political nature should likewise be excluded, for a court is neither a deliberative nor a legislative assembly. It neither makes laws nor determines a policy. Its supreme function is to interpret and to apply the law to a concrete case.

The court, therefore, is a judicial body, composed of judges whose duty it is to examine the case presented, to weigh evidence and thus establish the facts involved, and to the facts thus found to apply a principle of law, thus forming the judgment. It follows, then, that only questions capable of judicial treatment should be submitted, and that the duty of the judge should be limited to the formation of judgments. The desideratum is that a law and its interpretation should be certain, and certainty of judgment is only possible when strictly judicial questions are presented to the court. Upon a given state of facts you may predicate a judgment. If special interests be introduced, if political questions be involved, the judgment of a court must be as involved and confused as the special interests and political questions.

In stating boldly that the court should not deal with questions of special national interest, nor with questions of national policy, and in expressing the opinion that judges should decide according to the law as judges, not as negotiators or diplomats, it is not meant to suggest that experience in political or diplomatic life would disqualify a judge for the performance of judicial duties. As the politician deals with political questions, he is clearly out of place in a court of justice,—although a broad experience in political affairs may strengthen the judgment of the individual judge and thus enhance his efficiency. The diplomat, as such, is likewise out of place in a court of justice, because

we do not wish to weigh the claim of one against the other and strike a balance. A compromise is out of place, and negotiations are excluded. Experience, however, in diplomatic life is of value, indeed of great value, but it can only enlarge the view, and thus increase the usefulness of the judge individually. Political experience and diplomatic training cannot make up for the lack of the judicial mind and the legal way of thought.

It is difficult to conceive of a court of justice without judges trained in the administration of justice. It is as difficult,—indeed it is well nigh impossible,—to think of a court without at one and the same time having in mind the jurisdiction of the court. An international court does not compete with a national court. The questions submitted to it are not of a national or municipal character. They are of an international character, to be determined according to international equity and international law. It necessarily follows that the jurisdiction of such a court would be different from the jurisdiction of a national court. The one point in common is that each should have a certain sphere of jurisdiction if it is to function as a court. In what, then, may the jurisdiction of an international court consist? Clearly it can have no original jurisdiction. Its jurisdiction must be conferred upon it specifically, for when created it is as powerless and helpless as the new-born babe. The jurisdiction must be conferred upon it expressly, and it would seem that this may happen in several ways. First, the signatory Powers may conclude a *general* treaty of arbitration and may agree that all differences of an international nature shall be considered. Or, second, if the signatory Powers do not conclude a general agreement, the positive jurisdiction of the court may be based upon the separate treaties of arbitration already concluded between the nations.

In either case the court will be clothed with a certain jurisdiction; for, as the Powers have agreed collectively or singly to refer certain matters to the Permanent Court, it follows that the court possesses the competence to examine these. In a word, the court possesses obligatory jurisdiction in certain defined and ascertained cases.

But it may well happen that nations may, in the absence of a treaty of arbitration, be willing to submit special differences aris-

ing between them to the judgment and determination of the court. As the jurisdiction in such cases would be occasional, and as it would depend wholly upon the volition of the parties in controversy, it may be called voluntary or facultative jurisdiction. It is a matter of no great importance whether the jurisdiction is obligatory or whether it is facultative, provided only that questions be submitted to the court for their determination. And it is believed that particular questions will be submitted to the court as soon as the court justifies its existence and that these submissions will be more frequent in proportion as the court wins universal confidence and trust. It is therefore no objection to the court that the obligatory jurisdiction may be small, provided only the facultative jurisdiction be large. And it will, in the nature of things, be large if the court be permanent, if it be composed of judges, and if the decisions of the judges satisfy the judicial conscience.

The very permanency of the court will go far to create the confidence which a line of carefully considered and authoritative precedents will justify. For it is important that the court and its personnel be permanent in order that a permanent body of international doctrine be developed. Each decision will be a mile-stone in the line of progress, and will forecast a highly-developed, comprehensive and universal system of international law. But to create a precedent and to secure its recognition, it is necessary that the decision itself shall be impartial, according to the law of the case, and the surroundings of the court should be such as to allay suspicion of impartiality. Judges of training and experience, serving for years instead of for a few weeks, will develop a judicial faculty, even although its presence be not so marked at the date of appointment. An arbiter, chosen for a particular purpose by a particular government, after weighing his strength and his weakness, after an examination of his writings or utterances, may be discredited in advance and doubts cast upon his impartiality, because it is well known that nations as well as men are inclined to appoint those favorable, not those unfavorable, to their views. There is, therefore, great danger that the arbiter is but slightly removed from the advocate; whereas the judge, by virtue of his tenure, cannot in the nature

of things be exposed to this danger or to this criticism. It is not too much to say, therefore, that the confidence which the court may inspire will depend as much upon the permanence of tenure as upon the character and attainments of the individual judges.

It is probable that the views already presented may meet with general acceptance, but the important question still remains,—How is this Permanent Court, composed of judges, to be constituted? No attempt is made to disguise the difficulty and importance of this question. For, if it were an easy task, we would not be engaged in discussing it in this year of grace 1907.

It is obvious, at the outstart, that a court, to be truly international, should represent, not only one or many, but all, nations. It is equally obvious that a court composed of a single representative from each independent and sovereign nation would be unwieldly. Forty-five judges, sitting together, might compose a judicial assembly; they would not constitute a court. And our purpose is to establish a court, not to call into existence a judicial assembly.

In international law all States are equal. As our great Chief Justice Marshall said: "No principle of general law is more universally acknowledged than the perfect equality of nations. Russia and Geneva have equal rights. It results from this equality that no one can rightfully impose a rule on another. Each legislates itself, and its legislation can operate on itself alone." (The "*Antelope*," 1825, 10 Wheaton, 66, 122.)

It follows, then, that however desirable a permanent court may be, it cannot be imposed upon any nation. The court can only exist for this nation by reason of its express consent. If it be said that all States are equal, it necessarily follows that the conception of great and small Powers finds no place in a correct system of international law. It is only when we leave the realm of law and face brute force that inequality appears. It is only when the sword is thrown upon the scales of justice that the balance tips; or, to quote the fine words of our honored president, Mr. Leon Bourgeois, uttered in a moment of inspiration:

Messieurs, entre les nations il en sera de même qu'entre les hommes. Les institutions internationales comme celle-ci seront la garantie des faibles contre les forts. Dans les conflits de la force, quand

il s'agit de mettre en ligne les soldats de chair et d'acier, il y a des grands et des petits, des faibles et des forts. Quand dans les deux plateaux de la balance il s'agit de jeter des epees, l'une peut être plus lourde et l'autre plus légère. Mais, lorsqu'il s'agit d'y jeter des droits, l'inégalité cesse et les droits du plus petit et du plus faible pesent dans la balance d'un poids égal aux droits des plus grands.

In matters of justice there can be no distinction, for every State, be it large or small, has an equal interest that justice be done. If, therefore, a permanent court be constructed upon the basis of abstract right, equality and justice, it would follow that each State would sit of right within an international tribunal, and we will be confronted with a list of judges,—with a panel, not a court. Recognizing the equality of right and the equality of interest in law, and giving full effect to this equality in the constitution of a permanent court, we must yet find some other principle upon which to base it if we wish to erect a small court of a permanent nature.

Fortunately another principle exists. While all States are equal in international law, and while their interest in justice is the same, or should be the same, there is a great difference between nations considered from the standpoint of material interests. And fortunately material interests are independent of the question of power. For power, in the international sense of the word, means physical force. And physical force is alien to the conception of right. The principle of construction cannot be based upon the relative strength or weakness of nations. But while nations have an equal interest in justice in the abstract, this interest may manifest itself more frequently in the concrete. The interests of a large and populous State are widespread, indeed universal, and complications and differences are more likely to arise where these interests come into conflict. It cannot be said that lawsuits bear a mathematical and constant relation to population. A State of thirty millions may not have six times as many law suits as a State of five millions, and it is to be hoped that this is not so. But there is a sensible relation between population, wealth and industry on the one hand and law suits on the other. If we compare the States of the American Union, we will see at a glance that the law reports of the State of New York, compared to the law reports of Rhode Island and Delaware, our smallest

States in population as well as in size, show the greater material interest of the State of New York in courts of justice. Population and the business necessarily arising and inseparable from population make a recourse to the courts of justice in New York the rule, while in the smaller States it would seem to be the exception. It follows, therefore, in practice, as in theory, that the State of New York has many more law courts and infinitely more judges, simply because the needs of the population are in this way met.

The foregoing illustration would apply to an international as well as to a municipal or national court. The greater the population, the greater the business; the greater the business, the more frequent the conflict of interests involving a recourse to a court of justice. An international court would seem to be at the present day as much a necessity as the municipal court is a necessity,—for international interests, in their infinite variety and complexity, would, or should be, referred to an international court, just as conflicts arising wholly within one jurisdiction are referred to the municipal court of the particular nation in question. The municipal court is created to meet the national need. An international court should be created and exists to meet the international need, and it is not to be expected that nations, with great material interests, will be content to support, nor accept an international court which does not recognize these interests, and in which these interests are not represented. Material interests may, however, be very large or may be very small, and the difficulty of estimating the value of a particular interest, and the extent to which it should find representation in a court, would seem to render it either impossible or inexpedient as a basis for the constitution of an international court.

It has been stated,—and any geography or gazetteer will furnish the proof,—that material interests and population go hand in hand; that a large population has, by reason of its largeness, material needs which must be satisfied; that industry and commerce spring up to meet these needs, and, in satisfying them, wealth results. If, therefore, population draws to itself industry and commerce, and if courts of justice, in a civil and commercial sense, are created to resolve commercial or civic differences, it

would seem that population (which is easily determinable) may be chosen as a basis of representation, because of the direct relation existing between population on the one hand and industry and commerce on the other. Population is a natural principle, and a court of justice based upon the principle of population thus recognizes an actual and natural principle. Business interests are at one and the same time likewise recognized, and justice is administered clearly and impartially, if only the personnel of the court be properly selected.

Admitting that population may be taken as an element upon which to constitute an international court, it is necessary to state, with clearness and certainty, the population which shall give a unit of representation. If the required population be very small, it follows that the membership of the court, chosen in accordance with population, will be very large, and, on the other hand, if a very high degree of population be required, it follows that the membership of the court will be correspondingly small. But whatever unit be chosen, no State, however populous, should have more than one member in the court, for a single member calls attention to the existence of the State as a political unit, and represents, at one and the same time, its population, industry and commerce.

It is, therefore, necessary to choose the golden mean in such a way that the membership of the court shall not be so large as to make it unwieldy, nor so small as to leave unrepresented important international interests. It seems probable that a court composed of fifteen or sixteen judges would be manageable, and adequate for all our present international needs.

If it be true that population and material interests bear a sensible proportion to each other, it follows that the entire population of a country should be included, and that its right to representation should depend upon this combined population, for it is not merely the interests of the home country, but the interests of the colonies that come before courts of justice.

If it be admitted that population is a satisfactory basis upon which to erect a substantial and permanent court of arbitration, it would not follow that we had composed the court, although we had taken a step toward it by establishing approximately the num-

ber of judges of the court. We must determine the law to be enforced. The problem here is complicated by the fact that many systems of law exist and that these various systems must find adequate representation. As a rule, a single system of law obtains in a municipal court; another system obtains in another court. These two systems, administered in one and the same court, would not make the tribunal a court of international law; for, to be truly international, it must embrace the various systems of the world. When this is done, it becomes a world court. If the Permanent Court of Arbitration is to judge according to equity and international law, it must not be the equity of any one system, but the equity which is the resultant of the various systems of law. Just as the individual rarely frees himself from his environment, so the jurist is influenced by his system of law and the training in it. Supposing, therefore, that each is influenced by his training, it is necessary to have judges trained in the various systems of law in order that the equity administered by the court may be truly the spirit of the laws. For the purposes of the Permanent Court of Arbitration, municipal law must be internationalized. In this case, and in this case only, can the judgment be equitable in any international sense, and the judgment so formed will be based upon international equity as well as international law.

It is stated that a jurist is the product of his training. It is likewise true that the individual is influenced by his environment and possesses, in a higher or less degree, the characteristics of his nation. It would be futile,—if indeed it were possible,—to denationalize a judge. But the presence in the court of judges trained in the various systems of law and representing in their intellectual development characteristics of their respective nations, would go far toward engendering an international spirit.

The project which the American delegation has the honor to present recognizes the existence of the various systems of law and gives adequate representation to them.

For example, the Roman law, constituting the basis of so many European systems, would be represented in its present and modified forms. The common law of England would be represented, and the common law of England as modified in the West-

ern world would not be overlooked. The nations of Europe which have given law to the Western world would sit, of right, in the court, and at one and the same time the modifications of this law to meet the needs of the new world would be before the court. For example, the law of Spain,—the source of law in Latin America,—would appear, both in its European and American form.

The question of language is one of great difficulty, and languages, as such should be represented in the court. To one sitting in the Conference day by day and observing the difficulty with which the idea clothes itself in French form, it must be a matter of great importance that the languages should find representation in the court, so the judge and client may be upon speaking terms.

If a question of Spanish law is involved, it is important that the judge understands Spanish. If a matter of Russian law be under consideration, a knowledge of Russian might well be fundamental. An examination of the American project shows that the principle of population does ample justice to the languages most widely spoken at the present day.

Finally, a court, to be international, must take note of the existence of the nations of the world, and these nations must find adequate representation in the court. The principle of population adopted shows that the four quarters of the globe would be represented in the court.

It may have seemed strange, at first sight, that the American project bases itself upon the principle of population, but when it is seen that the principle of population does justice to the industry and commerce of the world; that it likewise represents the various systems of law; that it includes within itself the languages, and that political geography is not overlooked, it becomes at once evident that the principle of population was selected, not for any virtue of its own, but because it adequately and equitably represents and embodies the elements essential to the constitution and operation of a Permanent Court of Arbitration.

In a word, our principle recognizes the existence of nations, and their continued existence, as political units, but declares solemnly that, for the purposes of justice, there is but one people.

In the observations which I have had the honor to submit I have dwelt upon the fundamental underlying principles of the American project without considering matters of detail. Did time permit, it could easily be shown how a Permanent Court of Arbitration, composed of fifteen or sixteen judges, would fulfill the mission now confided to other and variously constituted bodies.

For example, should parties to a controversy desire a summary proceeding, they might request a special detail of three or five judges from the Permanent Court of Arbitration, by striking alternately from the list an equal number until the desired number remained. Powers desiring to form a commission of inquiry for a particular purpose could resort to the Permanent Court of Arbitration and constitute a commission in the above described manner, and add thereto an equal number of nationals from each of the parties. It would require no great powers of imagination to devise a method by which the personnel of the Permanent Court of Arbitration might be modified to meet regulations and requirements of a Court of Prize, and, finally, by special consent of the parties to a controversy, decisions of commissions of arbitration might be referred to the Permanent Court of Arbitration to be reviewed and revised, or to have the relative duties and liabilities under the findings submitted to further examination.

Without considering further details, and without prolonging a discourse already long, I beg to express the conviction that the mere existence of a Permanent Court of Arbitration, composed of a limited number of judges trained in municipal law, and experienced in the law of nations, would be a guarantee of peace. As long as men are what they are, and nations are formed of ordinary men, we shall be exposed to war and rumors of war. The generous and high-minded may seek to ameliorate the evils and misfortunes of armed conflict, but it is certainly a nobler task, and a more beneficent one, to remove the causes which, if unremoved, might lead to a resort to arms. The safest and surest means to prevent war is to minimize the causes of war and to remove, as far as possible, its prettexts. Justice, as administered in municipal courts, has done away with the principle of self-help and the use of force as a means of redress. An international court where justice is administered equally and impartially to the

small as well as to the great will go far to substitute the rule of law for the rule of man; order for disorder; equilibrium for instability; peace and content for disorder and apprehension of the future. To employ the language of a distinguished colleague, the line of progress is "*par la justice vers la paix*."

CHAIRMAN BEEBER: A study of the literature of this subject, on consideration, will show that this propagation has gone on under the control of men and women who are inspired with the principles of truth and unquestioned sincerity. Too great strides are not desired, nor are they expected. The incredulous stare with which the leaders of the warlike nations ask us whether they are expected to believe that we have reached that period in the progress of humanity when we can discuss the disarmament of nations is met by the leaders of this movement by the gentle intimation that we have not yet reached that question. It is easy, and it is frequently done, to point at the mark between disarmament and the limitation of armament. The lawyers connected with this subject, who have devoted years of study to it, are going to present to the mass of the people arguments which if followed to their logical conclusion mean only one result, that we drift rapidly but steadily toward the limitation of armaments. (Applause.)

Among the pioneers of this movement is a gentleman whom it is a delight to know, and whom it is an honor to have the pleasure of association. Equipped by a long and patient study of the principles of international law, a member of the highest court in the land, may I say the highest in the world?—(applause) he is pre-eminently qualified to speak to you upon the subject of the limitation of armaments. I have the pleasure to present to you Mr. Justice David J. Brewer, of the Supreme Court of the United States.

THE LIMITATION OF ARMAMENTS.

JUSTICE DAVID J. BREWER.

LADIES AND GENTLEMEN:—I thought Friday or Saturday I should have to telegraph a withdrawal of acceptance, for I caught cold last week, and my throat has been quite sore ever since. However, I feel so profoundly interested in this question that I concluded that at least I might come, and, like a soldier on the eve of battle, respond to roll call, “present on duty”! (Applause.)

At the close of our Civil War we owed about three thousand million dollars. In the thirty years following we paid two-thirds of that debt. Since then, although during the last ten years we have had unexampled prosperity, we have not paid a dollar, and we owe to-day as much as we did at the end of the Spanish War, a thousand millions of dollars. How is this? I wrote to the chairman of the Appropriations Committee of the House, and he gave me the table from which I have copied these figures. The last ten years the total appropriations for the army were eight hundred and nineteen millions of dollars. Of course I omit anything but round figures. This is exclusive of pensions. The prior ten years the appropriations were only two hundred and forty-five millions. During the last ten years the appropriations for the navy were eight hundred and seven millions; the ten years prior two hundred and sixty-two millions, or an excess in the appropriations for the army and the navy during the last ten years over those for the prior ten years of one thousand, one hundred and nineteen millions of dollars. That is why we have not paid the national debt. (Applause.) In all sincerity I want to ask, Is this nation any better, with its magnificent fleet of ironclads and its larger army, than it would have been if it had paid its national debt and stood to-day as the one great nation on the face of the earth not owing a dollar? (Applause.)

Talk about being prepared for war. You want to have money to be prepared for war. (Applause.) It costs to fire a single shell out of one of these twelve-inch guns as much as will support an ordinary family for one year. The trouble with Japan since the close of the war with Russia is that it is loaded with a debt that it can hardly carry. Our great Secretary of

State, while at Rio de Janeiro, on his southern trip, pleaded for peace between the nations on this continent, pleaded for a public opinion whose power shall influence international conduct and prevent international wrong and narrow the causes of war and "forever preserve our free lands from the burden of such armaments as are massed behind the frontiers of Europe." I want to know if it is any better to be beneath the burden of debt created for a navy than it is to be beneath that created for an army. You may be able to water stock, but you cannot water a debt, not even a navy debt. If we had not used this money for our navy and army, we could have paid our debts.

The other day our great President called a conference at Washington (applause) of the Governors of every State in the Union and many other distinguished men to consider what could be done to preserve our national resources from destruction, and at that conference the discussion was of the benefits resulting if our arid lands were reclaimed, if our forests were restored, if our water power was transformed into electric light and power, and if great waterways were run through the land for the transportation of the bulky and coarser freight. One thousand one hundred and nineteen millions of dollars, the surplus excess of our military and navy expenditures for the last ten years, would almost have reclaimed every arid acre within the limits of this country, drained all our swamps and given us magnificent canals, stretching from the Lakes to the Gulf, great waterways for commerce. (Applause.) All know that during the last ten years we have had immense crops; our industries have been extended and our general prosperity greater than ever before in our history. How is it, why is it, that we have not proceeded as promptly as possible to pay our debts as we were advised by our first President, George Washington? Is not that business prudence, individual and national?

The answer to the inquiry is simply, ironclads and brass buttons.

Again, at the close of our Civil War, the greatest civil war that history records, two mighty armies disbanded, and the veterans went back to their places in the shop and the field and the office. They had had enough of war; they rejoiced in the

coming of peace, and there was no thought or talk of military or naval development. Peace, and peace only, was our purpose, and at one end of Pennsylvania Avenue, and just below the Capitol steps, was erected a magnificent statue to peace. I remember about thirty years after the close of the war there took place in Washington what was called the last grand march of the army; one hundred thousand men marched from the Peace statue to the reviewing stand in front of the White House; from early morning until late in the evening that great army was moving. No sword was seen, no musket carried, and the only thing which told the story of their veteran lives was the modest Grand Army hat and button. As those one hundred thousand veterans marched down the avenue I felt as never before the immense strength and power of this republic, and that no nation would dare attack it, since thirty years after the war it could gather in the capital one hundred thousand veterans wearing the garments of peace, but ready, if need be, for war. That feeling was not confined to myself alone. More than one of the foreign diplomats who saw that magnificent march of these unarmed veterans sent word to his home country, "Never attack the United States of America!"

We have lately had a magnificent spectacle. The finest fleet ever gathered in these waters sailed from Hampton Roads, circled the southern point of South America and up the western slope to San Francisco. I do not wonder than any American that saw those ironclads steaming off on their voyage was proud of them. But there have been in past times other spectacles of marvelous attraction. During the Middle Ages the most magnificent sight was that of the knights summoned by Peter the Hermit and his successors to go to Palestine to deliver the Holy Land from Moslem rule. The best and bravest of European chivalry, in all the finest armor that could be had, marched again and again on that, as they thought, holy errand. But the Crescent still waves over the City of David, and a few missionaries, carrying no weapon of any kind save the sword of the spirit, have done more to undermine permanent Moslem rule than all the knights of the Crusaders.

But we are told that we must be ready for war, that there

are innumerable claims in behalf of our citizens piled up in the State Department. We have heard of cruelties in the Congo country, of outrages charged to have been perpetrated in Macedonia and Armenia. We have heard the cry of the Jews in Russia. Has an ironclad moved in either direction to put an end to those alleged atrocities? It may be that there are innumerable claims stored away in the State Department, but who knows how many and what they are. Publicity is good for corporations, but it seems not for the Government. I want to ask you how many times has an ironclad gone anywhere to vindicate or protect the lives or property of an American citizen? Maybe sometimes. Our genial friend, Secretary Taft, said that "it was wise to send the fleet around to the Orient to put the ironclad into the eyes of the Orientals." The idea of putting an ironclad into Admiral Togo's eyes borders on the humorous. Why the Japanese know more about our ironclads and their equipment than we do ourselves, and I do not think that we need worry to put ironclads into the eyes of the Chinese. Outside of the obligations of friendship springing from assistance in the past which bind China and Japan to us, and they are the only two nations to be considered, China has neither navy nor army that amounts to anything, and cannot attack us, while Japan is burdened with a debt whose burden seems likely to turn the party in power out of office.

I noticed the other day that Admiral Evans—well, everybody likes him, cannot help liking him; he is a bluff old sailor, brave, true, a genuine patriot,—but, according to the press, he said that if there were more ironclads and fewer statesmen there would be less danger of war. In other words, if we had more guns and fewer people unwilling to use them, there would be less shooting. Such logic as that is, as Mark Twain would say, simply unanswerable.

There is abundant of the war feeling to-day, and you realize it when you live in the City of Washington. Brass buttons and epaulets are to be seen on every hand; talk is all of fight, from the football field up to the ironclad. Every boys' school in the country has its military company. We are craving for war, and we cannot be craving for war and not have it.

From all this war craze I appeal for a higher basis of national life, and contend that the principles of right and justice are more powerful than batteries and can more certainly be depended on. We recently passed a bill or resolution through both Houses of Congress to restore to the coins the motto "In God We Trust." If we can trust Him to see that our dollars are paid, I think we can trust Him to make good His declaration that righteousness will exalt a nation; at any rate let us try it. I believe most firmly that the great movements of life and history are not accidents, that there is a providence which touches and directs human affairs. And so I think we may safely trust the Almighty to stand as a defender of this nation so long as it lives striving to hasten the time when "nations shall learn war no more." And now I close with these words of Whittier:

Oh, make Thou us, through centuries long
In peace secure, in justice strong,
Around our gift of freedom draw
The safeguards of Thy righteous law,
And, cast in some diviner mold,
Let the new cycle shame the old.

CHAIRMAN BEEBER: Among the organizations interested in this movement is one known as the Interparliamentary Union. It is composed of men in the national legislative councils of the different nations, and men who have served in that capacity. It numbers now more than two thousand members. The one that is devoted to the cultivation of peace sentiment and the spirit of these principles in America has at its head an honorable member of Congress from Missouri. He enjoys the distinction of being the President of the United States group of the International Parliamentary Union. He honors us by his presence here to-night. I have the honor and the pleasure of introducing to you the Honorable Richard Bartholdt, of Missouri.

PEACE BY RIGHT, NOT BY MIGHT.

CONGRESSMAN RICHARD BARTHOLDT.

A great American once said: "I hope that mankind will at length, as they call themselves reasonable creatures, have reason and sense enough to settle their differences without cutting throats; for, in my opinion, there never was a good war or a bad peace." These words were uttered by Benjamin Franklin, and he was right, of course, no less right than Victor Hugo when he styled peace the virtue and war the crime of civilization.

If this is true, why, then, you ask, more battleships; why these constant preparations for war; why these big navies and standing armies? I will tell you the secret. Because the rulers of the earth, while extremely solicitous about the maintenance of peace and order in their own domains, have not yet deemed it to their interest to properly provide for more enduring peace with their neighbors, namely, a peace based on right, not on might. In other words, disputes between individuals within the confines of one country are now settled by law, but disputes between nations are still to be settled by force, and that is what these big military and naval establishments are for. But right here is where we take issue with the rulers, for our contention is that if the principle of peaceful settlement of controversies is right in the one case, it should be right in the other. If it is possible, by judicial decisions, to prevent fights between individuals, there must be a way, by the same means, to prevent wars between nations. And, my friends, there *is* a way.

To arrive at a proper solution of this question we must do a little independent thinking. We must not be as orthodox as that New York janitor who had been instructed by the landlord not to rent the house to a family with children. When one day a gentleman looked at the house and said he was willing to take it, the janitor asked him: "Have you any children?" "Yes, I have." "Then," replied the janitor, sternly, "you can't get the house." "But, my dear man," said the gentleman, "my children are all grown up and live in California." "That makes no difference; you can't get the house." No, my friends, in looking at the question of peace and war, we must not be guided

by the maxims handed down to us from the dark ages of barbarism, but think for ourselves, and, if possible, improve upon these maxims. When, for instance, we are told that big navies are not for war, but really a guarantee of peace, we must remember that for a thousand years past the rulers of the old world have resorted to this same argument to filch money from the people's pockets for their military establishments. Are Americans, in this enlightened age, to accept it as true? I shall let another great American answer this question. Speaking of the military and naval men as a class, Josiah Quincy said :

The existence of such a class is ever a main inducement to foreign violence and invasion; either your military force is weaker than your neighbor's, in which case he is insolent, or he is weaker, in which case you are so; or it is equal, in which case the very uncertainty begets in both a spirit of rivalry, of jealousy and of war.

Thus describing the military force as a menace to, rather than a guarantee of peace, how did Josiah Quincy propose to vouchsafe national security? On this score he says :

A society which should engage in no intrigues, covet no foreign possessions, exemplify in all its conduct a spirit of justice, moderation, and regard for the rights of others, would assume a position the most favorable to predispose its neighbors to adopt toward it a kind and peaceable demeanor. Should it fail, its conduct would be effectual to concentrate around it the affections of its own citizens, and thence produce unanimity and vigor in the use of all the means to which it might be necessitated to resort for the purpose of repelling actual invasion.

And then he adds :

War is a game ever played for the aggrandizement of the few and for the impoverishment of the many. War establishments are everywhere scions of despotism; when engrafted on republics, they always begin by determining the best sap to their own branch, and never fail to finish up by withering every branch except their own.

Surely this is the true American doctrine, and may the day never dawn that will find us recognizing another! It means that righteousness and fair dealing are an infinitely stronger guarantee of a nation's peace than mere armaments which are a menace in themselves. Hence the present generation strives for a peace based on right, not on might.

Suppose all individual men were to emulate the example of

nations and never go unarmed on the theory that to insure their safety they must be prepared for a fight. Why, the world would soon be one great arsenal, and blood would constantly flow foot high. Could a man inspire a neighbor with his peacefulness by going to him with a revolver in his pocket and making it known to him that the revolver was necessary to pay him the visit? Wouldn't that neighbor be infinitely more impressed with the good intentions of the man if he came unarmed? We say we want to be friends with Japan, and the Japs say the same in regard to us; but at the same time we clamor for the fortification of the Pacific coast. Wouldn't our words of friendship find more ready credence if we were not fortifying ourselves? The time has come in my judgment for the people to insist that statesmanship be honest and that its actions be made to agree with its words. You remember from history how in olden times all cities and towns were fortified. They all had thick walls around them, the remnants of which you can see everywhere in Europe, even to this day. Who would seriously think of fortifying these places to-day? I predict that the time is not far distant—and it will take but one or two Hague Conferences more to bring us to this point—when the people will view the remnants of the fortifications of countries with a feeling of pity and scorn the same as we view the ruins of city walls to-day. The world is bent on climbing to a higher civilization, and one of the first heresies it will explode on its upward course will be the maxim, "If you want peace, prepare for war."

If you want peace, I say, prepare for peace. And how easily it could be secured! If the German Emperor would say to King Edward: "Let us keep the peace!" it would practically mean the end of war. They would soon be joined by the Presidents of the United States and France, and we would have a League of Peace strong enough to prevent any violence and to cope with any combination bent on violence. Their own differences could be settled by The Hague Court, and all other nations would readily follow their example. But all this, it seems, will be accomplished in a much more formal way. The second Hague Conference has met and agreed to meet again. Secondly, it has pronounced in favor of the principle of obligatory arbitration,

and thirdly, it declared for a permanent High Court at The Hague, with permanent judges, who are to pass upon all controversies brought before them by the nations. And what does this mean? It practically insures to the world a permanent Congress of Nations, a realization, if you will, of the poet's dream of the parliament of man, and it means further that judicial decisions shall be substituted for force and war the same as has been done by all civilized nations in disputes between individuals. It is so simple and at the same time so palpably sensible that we wonder why the human family could have continued, for thousands of years, to sanction the shedding of human blood and the untold sacrifice of treasure unless its motive was selfishness and wrong instead of right and justice. To-day no nation will go to war except for what it believes to be a just cause. Remember that, and if this is true, then it need not be afraid of the verdict of an impartial tribunal. What excuse, then, is there for going to war except it be to hide an unholy purpose? I wish you also to remember that war settles nothing. It never decides the question of right and wrong, but merely as to which side is the stronger. It has been said that each nation should be entitled to determine for itself what is right and what is wrong, but let me ask you which would be the better and the safer judge: a nation whose passion has been aroused and whose judgment has been blinded by some unfortunate incident, or a high and impartial tribunal, which weighs each cause in the scales of justice? To ask the question is to answer it.

There are those, of course, who will not listen to reason and insist, all arguments to the contrary, on upholding and justifying the bloody business of war. "There will always be wars," they say. True, and in spite of our laws, I answer, there will always be murders. But is this a reason why there should be no laws against murder? They say, by taking the element of war out of our civilization we would soon have a nation of weaklings and imbeciles, because fighting alone brings out the manly qualities of human nature, and so forth. People who argue thus surely do not know what modern warfare is. In olden times, when soldiers engaged in hand-to-hand fights, personal courage and strength may have amounted to something, but what is war

to-day? Why, modern guns and explosives mow the soldiers down by the hundreds and thousands before the enemy is even in sight; consequently it is no longer a question of personal courage, and heroism, and manliness, but merely a question of the superiority of death-dealing war machinery. And if fighting prevents enfeeblement and stimulates the manly qualities, why, then, should we wait for a war with a foreign nation for this alleged boon to come to us? Why not transform every human being into a fighting animal and let him settle all his controversies at home and with his neighbor, in business and politics, with the mailed hand? This would be logical, wouldn't it? But for the sake of peace at home we have established courts, never mind the manly qualities, and so we should be consistent and for the sake of peace with other nations consent to the substitution of judicial decisions for war and bloodshed. If you keep your eyes open you will discover more heroism in everyday life than there ever was shown in war, and our peaceful social intercourse affords so many opportunities for the display of manly qualities that it is not necessary for man to descend to the level of the beast to keep them alive.

What is culture? It is a question of self-restraint. Surely, the mere technical achievements, such as the railroad, the uses of electricity, the telegraph, the telephone, and the luxuries of our daily life do not make the culture of which we boast. In spite of them, we might be the same as our ancestors were thousands of years ago, namely, controlled by the same passions, the same fear, the same disregard for the rights of others. No, as charity begins at home, real culture must begin within ourselves. It must be in our hearts and minds. And the degree of human culture is exactly the degree to which we are able to control the animal instincts inherent in us. One of those instincts is to do violence upon the least provocation, and our culture requires its repression.

In proposing that nations should agree to arbitrate their differences we do not mean that they should pool their interests and tie themselves to each other. Oh, no; if we attempted that, the result might be as the one predicted by Pat, who, with his wife, was visiting a farmhouse, and there saw a dog and a cat

lying peaceably together. "Look at them, Pat," said the wife. "Why do you keep up quarrelling; why can't we get along as peaceably as that dog and cat?" "Well, Bridget, I'll tell you. You see, we two are tied together in holy matrimony. You just tie them together and see what will happen." No, when the several nations enter into an agreement to keep the peace or to settle their differences by arbitration, they must start out by guaranteeing to each other their absolute sovereignty in home affairs, their national independence and their territorial integrity, —and the rest will be easy. And what a splendid pattern the United States is for the kind of world organization we are striving for. Here are forty-six States, with their own constitutions, their own body of laws, their own legislatures and their own separate governments. Yet, when a controversy arises between two of the States, are the people being seized by the war fever? Do they even become excited? When the Mississippi River was being polluted by the Chicago Drainage Canal emptying its nasty contents into the Illinois River and the Mississippi, did Missouri call out her militia to go to war with Illinois? Bless you, no! They simply appealed to the Supreme Court of the United States, and are calmly awaiting its decision. Why not submit the differences between the nations to a Supreme Court of the World in exactly the same manner? This, my friends, is the great plan which has just been practically approved at The Hague, and the only difficulty yet to be solved in connection with it is the appointment of the permanent judges.

As Americans, we should strive to have the United States continue in the lead in this great movement. In doing so we merely lend our aid in shaping the foreign policies of the governments of the world according to our own pattern, and, ladies and gentlemen, from what I have learned at the International Conferences which I have had the honor to attend, the people of the old world are only too willing to follow the lead of the United States. They know that our military burdens are less onerous, our sacrifices for war preparations less perceptible than those of other nations. They know that we have less cause to fear war and less reason to expect it than any other people on earth. Hence, the outside world believes us when we say our motives

are disinterested and are actuated only by an honest desire to promote the cause of humanity and justice. Washington expressed it in these words:

My first wish is to see the plague of mankind, war, banished from the earth.

General Grant said:

Let us have peace.

President McKinley said:

Let us remember that our real eminence rests in the victories of peace, not those of war.

President Roosevelt has saved the life of The Hague Tribunal by referring to it the first case. He has called the Second Hague Conference, and has restored the peace of the world by bringing Russia and Japan together. Hence, it seems that it well becomes a nation which can boast of such Presidents, and which is animated by such sentiments to appear in the world's councils carrying the gospel of humanity and peace.

I congratulate you on the formation of a Pennsylvania State organization to promote the cause of arbitration and peace, and hope that the organization may extend throughout the whole United States and to every Congressional district, to make legislators, judges, Congressmen, and even Presidents, stand up and listen.

I thank you for your attention.

CHAIRMAN BEEBER: The legal scholar, the statesman, and the man of affairs have all been exerting their legitimate influence in this cause. The orator, who has loaned the charm of his voice and the strength of his argument to the furtherance of the great cause, has been numbered with us. Among those who are in this class is a gentleman whom I wish to introduce at this Conference. One of the distinctions that this gentleman has is that he has never prostituted his remarkable gifts to accomplish anything that would not meet the approval of his altruistic instincts. In season and out of season, in America and elsewhere, his voice has always been raised in advocacy of the principles of the cause that inspired this great audience, and the greater constituency that this audience

represents. When this man, with these notable achievements along the lines of our purpose, stood on the floor of the Westminster Chamber in London, now almost two years ago, in the presence of leading statesmen of England and other civilized nations, with arguments that have attracted him to us, and that have called forth his devotion, and presented them in that way, with generous power and with the prowess of all the qualities of a great orator, there was not an American citizen anywhere who knew of that great achievement that did not feel proud of the Honorable William Jennings Bryan. (Tremendous applause.)

THE DUTY OF AMERICA TO PROMOTE PEACE.

HON. WILLIAM JENNINGS BRYAN.

MR. CHAIRMAN, LADIES AND GENTLEMEN: The one who comes in as the last speaker on an occasion of this kind has to take his chances of having all his arguments stated before he speaks; and to-night we have listened to such splendid presentations of the subject that has brought us here, that little has been left to me.

But I can at least, by being here, testify to my interest in the cause of peace, and I can endorse with all the emphasis that I can command the reasons that have been presented for this hope that arbitration will be substituted for war.

Mr. Justice Brewer has called attention to a remark of one of our naval officers, that attracted my attention a few days ago—although I feel as he did about getting my information direct before I give entire credence to the remark or a statement. One of our naval officers, who is quoted as having said, “If we had more battleships and fewer statesmen we would have more peace.” If he were on the witness stand I would like to get from him, if I could, an estimate of just how many battleships and just how few statesmen we would need for an absolute guarantee of peace. (Applause.)

I would feel like reminding him that history has furnished us so much of proof that we need not experiment on his proposition. (Applause.) Time was when every one was a warrior, and no one was a statesman. Time was when every one carried a

club, and no one stood in the position of a statesman of the world, attempting by peaceable means to preserve order among men. During those early days we have no knowledge of the assurance of peace following preparedness for war. Progress is away from this theory, and not towards it. I am glad to place myself on the side of those who are opposed to having this nation enter into a mad rivalry with the nations of the world in the building of battleships.

We are to-day spending some three times as much on a navy as we spent ten years ago, and are the prospects of peace better to-day than they were before? Is the assurance better to-day than it was then? If, with an expenditure three times as great, there is more talk of war to-day than there was then, how much more talk will we have in ten years from now? Will we be spending ten times as much in ten years? Ten years ago they said that if we had a big navy we would not need a big army. Now, they tell us that if we have a big navy, we must have a large army to be prepared for war on land when war on sea comes. The figures given by Mr. Justice Brewer show that we have increased our expenditures for the army just about in the same proportion as we have increased our expenditures for the navy.

We have no light to guide us but the lamp of experience, and if we can judge the future by the past, then our expenses for an army will increase, as our expenses for a navy have increased.

If we mean to build four battleships a year because other nations have built two, and if they are scared as much by what we do as we are scared by what they do, how many will they have to build next year? If we build four, and can scare them into building eight, and they build eight, how many will those eight scare us into building?

There is in this country a Navy League. There is also one in England, another one in Germany, and another in France. I have received some of the literature of the Navy League. My patriotism has been appealed to to help build more ships, because they are building more in other countries. If their Navy Leagues over there are as much on the alert as ours, they will be ready in their country as a reason for more ships, from the fact that we are building more ships. Where is the end, my friends? What

limit can we place? There is but one limit, and that is the limit of the exhaustion of the people. There is no place other than this where you can stop.

I want to present an objection to this rivalry in the preparation for war, that will never come if our nation does what it ought to do. In the first place, we least of all nations of the world need to load ourselves with preparations for war. We are fortunately situated. An ocean rolls on either side. We are separated by three thousand miles from Europe, and five thousand miles more from the Orient, and as if this trough around us were not sufficient, we have a mountain range on either side. All the armies of the world could not cross either the Alleghenies or the Rocky Mountains. There is no disposition on the part of the other nations to attack us; and if all the nations joined together to attack us by water, they might find us unprotected to begin with, but if our people are taught to love our country, by a government which is just, they can spend their resources in the improving of the country. We can, if danger comes, arm and equip a force that can meet all the force that can come against us, and take back a punishment for all the harm that has been done to us. The fear of the punishment that will come for an attack will restrain those who are unrestrained by higher motives. It is not necessary that our nation shall go on to protect itself from attacks. From what source will those attacks come? Is England going to attack us? No one believes that England will attack the United States. I am satisfied that there is no thought, no desire on the part of England to attack us, and if there was a desire, the fact that Canada stretches across our northern border would give us a hostage that would secure us against any attack, except under great provocation. Will attack come from the Orient? What nation could attack us? Are we afraid that China will attack us? If you will go to China, and see their great wooden hulks, with an eye painted on the front, that the boat might see, you would not be afraid. Is Japan going to attack us? As has been said, she is to-day laboring under the burden of the war she has had. Is there danger that she will carry on another war? Why, my friends, in the first place, Japan has no desire to measure strength with eighty millions of American people, and if she had any thought

of it, she would consult England first, who is joined to her by treaty, and I am sure England would not advise a war between Japan and the United States. Even if England did advise it, Japan would consult Russia also, and Russia is still there, and would be behind her when the war commenced, to push as the war proceeded.

There is no danger of attack upon the United States from any source, and yet, with no war in sight, with no prospect of conflict anywhere, we are told we must have a navy three times as big as the navy is to-day; and, as I have suggested, our army keeps pace with our navy in its expenditure. In the first place, there is no danger of war, and our nation is better prepared than any other nation on earth to stand for an apostle of peace, an advocate for the settlement of question by reason instead of by force.

But, my friends, there is still another reason why I believe that we do not need either a great army or a great navy. I have great faith in the power of example. Mr. Bartholdt has told us that peace could be brought if Germany were to propose to England that peace be maintained. Yes, it could come that way, and I hope that the German Emperor will soon make the proposition; and if the King of England will readily assent to it, that the four great nations will come together in an agreement that their differences be submitted for investigation before any declaration of war between any one of them.

But, my friends, I know of no principle to be applied to nations except those that we apply to individuals. I think that sometimes we make great questions seem very complex because we assume that they are not settled upon the ordinary rules of common-sense that apply to individuals. I would like to see the Emperor of Germany and the King of England and the President of France join in a request for peace; but I believe that this nation is in position to take the lead, without asking any other nation to join.

They have discussed whether the army ought to be used for the collection of private debts. I would like to see the nations agree that their armies would not be so used, but I am not willing that our nation shall wait for such an agreement. I would like

to see our nation declare to the world that our navy will never be used for the collection of private debts. What would we think of an individual who announced that he was ready to quit stealing as soon as he could find a sufficient number to enter an agreement with him? What would we say of a man who announced that his habits were bad, but that he was ready to reform and adopt good habits, if he could get four other prominent citizens to join with him? (Laughter.) What would we think of any citizen who would announce that he would try to be an exemplary citizen, and set an example to others, provided he could get a large crowd to enter into the same agreement with him?

My friends, we do not talk that way, as individuals. We do not teach that doctrine to our children. We take our children to Holy Writ, and we read to them what it says there, that we shall so act that others, seeing our good works, may be constrained to glorify the Father. If this is good doctrine for the individual, why isn't it good doctrine for a nation?

My friends, I have another objection to this war program, this navy program. It seems to me that it is a challenge to the Christian civilization of 2,000 years. They tell us they must promote peace by preparedness for war. That the more ships we have the greater is our assurance of peace. I remind you that the Christian religion has been growing along different lines. I remind you that when the author of our religion was tempted to use a sword, He said that those who drew the sword shall perish by the sword. I remind you that when some of the disciples, unacquainted with the spirit of his mission, wanted to call down fire from heaven to consume those who had turned them away from a city, Christ rebuked them, and said, "Ye know not the spirit in which I have come. I have not come to destroy men's lives but to save them," and it is upon that basis that our religion has spread.

I am glad that Mr. Brewer has made the allusion that he has. I fully agree with him that our missionaries, going with self-sacrificing spirit into other lands, are doing more for the spirit of peace than we will ever do with armies and with navies. We are spending a hundred million a year on our armies and another hundred million a year on our navies. Two hundred millions a

year on armies and navies. One-tenth of this sum spent in the establishment of schools and colleges, to which we should invite people from other lands, that they might hear and learn of our institutions and be convinced of our good will—one-tenth of this expenditure so expended in bringing people from all over the world and sending them back as friends and teachers of our civilization, would do more to preserve the peace of the world than all the navies we will ever put upon the waters.

My friends, I would be a skeptic and not a believer if I accepted the doctrine that war is necessary for human development. I will not deny that bravery has been shown in battle. I will not deny that out of the awful carnage of war there has come beauty in the way of devotion and self-sacrifice. But, my friends, it is only because we see this, it has attracted our attention, and we have overlooked that larger measure of virtue and devotion that has been exhibited by patience and self-sacrifice in time of peace. All through this land to-day there are conditions that require as much bravery for the performance of a duty in public life and in peace as it takes to follow the fife and drum on the field of battle.

I honor those who have given to their country the full measure of their life. They have done all they can do. I condemn the conditions that have required the sacrifice. I admire those who, when the time came, did not hesitate to die for their country; but I say to you, there is as much inspiration in a noble life as there is in heroic death. I do not believe that our Maker ever intended that we should kill each other as a means of self-improvement. I do not believe that it is necessary to have a blood-letting every generation to keep mankind from decaying. If I believe that murder in individual life or bloodshed in battle was necessary to human advancement, I could not be a believer in him at whose coming an angel sang, "Peace on earth, good-will toward men."

They tell me that the battlefield has brought out great virtues. Yes, but on the other hand, estimate if you can the loss that it has caused. What would have been the world's loss if Shakespeare as a soldier boy had fallen, before his words became part of the literature of mankind. Take the great men whose lives have ennobled us, and whose example has led us, and imagine, if you can, the loss to the world had they fallen in battle, and

then you can estimate something of the loss that has come to the world by those who in the enthusiasm of their youth have fallen in war, instead of living to shine in the various walks of life.

My friends, let me speak a word of encouragement to you. All the lines are leading toward peace. There is progress all throughout the world and you will find intellectual development in every nation of the world. You will find there is a quickening in all the influences that are put forth in behalf of intellectual development, and this means peace. Go through the world, and you will find our theory of government has spread everywhere. The effort is to bring a government nearer to the people. The power of kings is being limited, and power of the people is being enlarged. Everywhere the party that is trying to bring the government nearer to the people is the growing party, and the party of aristocracy and monarchy is the dead party, the world over. Not only is intelligence spreading, not only is our ideal of government spreading, but morality is spreading. There is a growth in moral sentiment, the world over. More people are studying questions from the ethical standpoint. There is more altruism than there ever was before, and more in this country than in any other country in the world. The growth of intelligence, and the growth of popular government, and the spreading of morality, all mean peace. In this larger peace our nation's work will be an increasing one.

Sometimes they call us little Americans, because we do not believe in the spreading of our nation's influences by force. We remind them that other nations have tried this kind of supremacy, and that one after another they have gone down to decay. We tell them we want to build upon a firmer foundation.

They say that this nation is just becoming a world-power, that we must have a mighty navy in order to wield great influence. I answer that for more than a year this nation has been the greatest power in the world. For more than ten decades it has done more to influence the politics of the human race than all the other nations of the earth combined. And it has done it without a large army or a large navy.

Until now the height of civilization has been attained, and

being so, America has been the inspiration of the world. By this high example all nations have been given faith in the future.

As I believe that service is the measure of greatness in the individual, so I believe that service is a measure of the national greatness. Then no other nation has ever measured up to our standard of greatness, for no other nation has ever served the world as we have served it and are serving it. We are giving the world ideals in government, in education and in religion, and we are destined to impress the world as no other nation has ever impressed it. This influence will not be exerted through force and violence, but our nation, developing here a civilization surpassing the civilizations of the past, will rise through that development, and in its rising draw all other nations unto it by the power of a noble example. Our flag, instead of being feared, will be loved, and people instead of bowing before it, will thank God that there is such a flag standing as ours does for justice and good-will.

At the close of Mr. Bryan's address the meeting adjourned.

Fifth Session

THE BUSINESS MEETING

TUESDAY MORNING, MAY 19TH

The fifth session of the Conference, held in Horticultural Hall on Tuesday morning, was devoted to the consideration of the report of the Committee on Resolutions, and to the subject of permanent organization.

Franklin Spencer Edmonds, chairman of the Executive Committee, presided. Cyrus D. Foss, Jr., acted as secretary.

The chairman stated that the first order of business was the consideration and adoption of the resolutions, and introduced Thomas Raeburn White, chairman of the Committee on Resolutions.

Mr. White said:

LADIES AND GENTLEMEN: I have the honor to present the following resolutions for adoption by this meeting, as the platform of this Convention. As you will see when I have read them, the thought of the Committee on Resolutions was that the formulation of the principles that we should adopt ought to be directed more particularly to the next steps to be taken towards international arbitration, rather than a general expression of opinions on the peace question at large. The resolutions which we offer are the following:

RESOLUTIONS SUGGESTED BY THE COMMITTEE ON RESOLUTIONS.

We express our profound satisfaction in the long record of the United States as an advocate of International Arbitration, and in the great number of cases in which it has secured an honorable settlement of serious difficulties without a resort to war. We especially commend the admirable course of our Government at the Second International Peace Conference at The Hague, and pledge our active and cordial support to every effort to fulfill the recommendations of that conference. There are no other means by which our Nation can render so great a

service to humanity, or do so much for the moral development and material prosperity of its own citizens.

The difficulties which have hitherto prevented a general agreement for the limitation of national armaments should not be permitted to obscure the plain reasonableness and the imperative necessity for further efforts in that direction. Modern conditions have made it impossible for any of the leading nations to add materially to their relative military or naval strength, because every addition to the fighting force of one country leads at once to a corresponding increase in the other countries, and these secondary increases are made to serve in their turn as conclusive arguments for still greater and still more injurious and demoralizing expenditures and efforts by all the powers. It is obvious that this self-multiplying and self-perpetuating process can end only in physical and financial exhaustion, unless it can be halted by some kind of mutual understanding or agreement, and we therefore emphatically endorse the recommendation of The Hague Conference, that the serious study of this vital problem should be again undertaken by all the nations.

We strongly approve the proposal to establish an international prize court at The Hague. We realize the injustice of the present system, by which neutral vessels accused of violating the laws of war are judged in the courts of the captor, and by which foreign citizens unjustly deprived of their property can seek redress only through the expensive, unsatisfactory, and wearisome method of diplomatic intervention. We welcome the proposed court not only as providing a speedy and equitable method of adjusting one class of international disputes, but as a happy augury of a more complete system of world judicature to be established in future. We believe that the United States will honor itself by providing for appeals from its courts to the international prize court; and, affirming our belief in the constitutionality of the measure, we urge the United States Senate to speedily ratify the convention, without waiting for a world agreement relative to the laws concerning maritime captures, believing that the jurists who shall compose the court can be trusted to decide the law in such cases in full accord with the principles of "justice and equity."

We especially congratulate the United States delegation to The Hague upon its distinguished service in securing the recommendation of the establishment of an international court of arbitral justice in the form agreed upon "as soon as an agreement shall have been reached upon the selection of the judges and the constitution of the court." We call attention to the fact that the recommendation, naming no number of powers who must consent, leaves it open for the court to be established at The Hague so soon as three or more nations shall agree upon the method of selecting the judges. Until such a court is created, to which the nations of the earth may resort with the assurance that their

disputes will be judicially considered and rightly decided, resort to the law of violence will be in some cases inevitable.

We strongly urge the United States Government to take every action which it may deem expedient to secure the consent of two or more other nations to establish this great world court, believing that in this way it is now possible to render a most signal and memorable service to all mankind.

We urge as a matter of primary importance that there shall be a general adoption of the proposal that conferences similar to this shall be held in every State of the Union, for promoting the universal acceptance of the principles of international arbitration, and the establishment of permanent courts of justice for the nations, as the only practical means to ensure the blessings of peace, by making wars improbable, and ultimately impossible, in the civilized world. Such conferences will serve as the organizers and representatives of public opinion in their respective states. Their executive committees, acting together through delegates or otherwise, will exert a powerful influence in supporting the efforts of our National Government, and in other ways will promote the cause of international arbitration at home and abroad.

The president of this Conference is hereby requested and empowered to appoint an Executive Committee of twenty-five, with power to add to, and to fill vacancies in, its own number. It shall be the duty of the said Executive Committee to act as the representative of this Conference for the continuance of its work and the promotion of its objects, and for those purposes it is authorized in its discretion to confer and co-operate with other bodies or committees or individuals from any part of the United States or other countries. It is also empowered to call another meeting of this Conference, or to organize a State association for similar purposes, if it shall at any time find that such action will be advisable.

THE CHAIRMAN: We will now hear from Rev. J. H. DeForest, of Japan.

MR. DEFORREST said: "In view of the fact that some of our people and many of our journals have made malicious misrepresentations of Japan, it seems to me that the Japanese will expect from this Peace Conference some resolutions of friendship towards them. Those I have drawn up may not be what you want at all, but if you will take these or some other resolutions which shall represent the sympathy of this body with the people of Japan, it will be received with great acclamation, and published in all their papers."

Mr. DeForest then read the following resolutions:

RESOLVED, That this Pennsylvania Arbitration and Peace Conference, assembled in Philadelphia, May 16th to 19th, 1908, and composed of representatives of numerous organized bodies in this State—official, educational, judicial, religious, commercial, industrial, civic and literary—hereby sends to Japan, our great neighbor across the Pacific, our expressions of warm satisfaction over the signing of the first arbitration treaty between the governments of Dai Nippon and the United States.

RESOLVED, That we rejoice in the most friendly invitation on the part of Japan to our navy to visit her ports, which cordial invitation, as cordially accepted by our Government, will, we fully believe, make even stronger the unbroken and historic friendship which was so auspiciously begun between our two nations by the first peaceful visit of our fleet under Commodore Perry in 1854.

RESOLVED, That, in the solution of the greatest problem of the twentieth century—the coming together of the millions of the East and the millions of the West—Japan, by her hearty adoption of the four great principles we love, namely, Representative Government, Universal Education, Religious Liberty and Open Courts of Justice; and the United States, by her more than half-century of political sympathy with Japan; are especially fitted for a moral alliance that shall unwaveringly stand for righteousness and justice, and therefore perpetual peace, between the peoples of the East and those of the West.

CHAIRMAN EDMONDS: Ladies and Gentlemen, these resolutions are now before you. It was the intention of the committee that this day's discussion should be as informal as possible, and after all our friends have had an opportunity to speak on the resolutions, so that we can have an expression of opinion, we will put them to vote.

DR. BENJ. F. TRUEBLOOD: Mr. Chairman, Ladies and Gentlemen: I am very much interested in the subject of these resolutions, and I think they are well drawn and on excellent lines. There are only two of them on which I would like to say a word. I like the resolution on the limitation of armaments in its spirit and general character. I am glad the committee thought it was the most earnest and necessary question of the day. I wish the committee could have seen its way to have put in some reference to the overwhelming defeat of the four battleships program, which went before our Congress recently. I think it would have shown our appreciation to our friends in the Senate and House, who have done such magnificent work.

There are two reasons why I feel that this question is the most urgent one of the time. One is that everywhere there is a growing restlessness, a dislike of the everlasting increase of armaments at such enormous expense. My second reason is that in practically all the great parliaments of the world there is a very hopeful hesitation, if I may use that expression, to go any farther on the line of naval development. It is true of Great Britain, in spite of the news that has come to us of the great increase of her navy. We find when we come to sift the rumors down to actual facts that there is a very strong disposition in Great Britain to keep the navy down to the lowest possible limit, and instead of building four battleships, I think the number is actually much less than that. The same is true of the French. The same is true to a very great degree in the Russian Parliament or Douma. That body, reactionary and conservative as it is, has flatly refused to vote the great credit which the Minister of the Navy asked for the building of the new Russian fleet, at the rate of two hundred millions of dollars for ten years. That credit has been flatly refused in the new Russian Parliament, which is thus showing itself a parliament in some real sense of the word. The same feeling is prevailing that if there is any way to stop, let us stop.

I think we have the assurance that the urgency of this problem is being felt everywhere, and it is the business of this Conference to urge it. I wish, however, that they would consider the suggestion I have made to the reference of the overwhelming vote of 199 to 83 in the House and 50 to 23 in the Senate, by which the battleship program was defeated.

I am in favor of everything international, in case it is not bad. At first I was disinclined to express much appreciation of the International Prize Court. It looked as if it was a simple recognition of war, and recognizing war would do something to maintain war in human society; but I am convinced that is a superficial view. It is rather to protect mutual commerce from violence, and in that respect it is an absolute peace-maker. In addition to being an international court, if it comes into actual practice it is an absolute protection to the neutral commerce of the world. I think that The Hague Conference, in setting up that prize court, has proceeded in a rather bungling way, and that, of

course, comes about historically. We have had national prize courts, because there was nothing international, and nations have attempted through their national courts to restrict violence to a considerable extent on the seas. But, strictly speaking, I hold that a national judiciary has nothing to do with international relations.

I should have preferred to see that prize court made purely the court of first instance, and have all cases go directly to it. I believe it is made an international court of first instance in some cases. If the cases come from the courts of appeal, it is not a court of first instance. It may be made so later. If that were true in practice, the prize cases would naturally go directly to the prize court, instead of going to the courts of first instance, or the appellate courts in the national judiciary. However, on the whole, I think I am in favor of our approving the prize court. I think it will be displaced by a prize court purely international, and in which the prize cases will not go to the national judiciary.

I believe it is contrary to the principles of justice that the court of the captor nation should pass on the capture. It is absolutely untrue to the principles of national justice. I think the next conference will correct it. We have already the foundations laid for that, and I shall not wonder at all if the prize court be abandoned entirely.

I heartily approve of the resolution which my friend offered before me. Dr. DeForest has been out in Japan, and has been doing magnificent service by writings and speeches in suppressing these senseless cries about war with Japan; and I should like to see these resolutions, with perhaps a little modification, pass. I do not like this Peace Conference to endorse or suggest our great battleship fleet going to Japan without first condemning the parade altogether. It will make Japan want a bigger fleet when she sees ours, and Germany will want a bigger fleet, and Great Britain; so I don't like to endorse a friendly visit unless we first condemn the sending out of that fleet altogether. (Applause.)

DR. DE FOREST: I want to call attention to the fact that when Perry went out to Japan there were only four ships in our navy, and I think there are only eight to visit Japan now.

CHAIRMAN EDMONDS: We will now hear from our friend, Congressman Reuben O. Moon.

MR. MOON said: Mr. Chairman, Ladies and Gentlemen, constituting the Pennsylvania Arbitration and Peace Conference: I heartily endorse all these resolutions. The time afforded me does not allow me to speak on more than one of them, and I therefore propose to address myself to the last one, which, in my judgment, contains the essence of that for which this Congress will in future stand. I mean that authorizing the President of the Conference to appoint a committee of twenty-five, with power to fill vacancies, to connect themselves with movements of this kind in other States and to aid generally in the expansion, development and growth of this movement. I tell you, ladies and gentlemen, that in my judgment the movement of the Twentieth Century is that which finds its initiation in this body to-day.

As Justice Brewer told you last night, I had the honor to attend one of the most momentous movements, in a national sense, that has ever been inaugurated in this country, when the Governors of forty-two States met in the Executive Mansion for the purpose of devising means to conserve the physical resources of this country. We are met, ladies and gentlemen, in an even better work. We are met to be part of the international meeting for the conservation of the moral and physical resources of the world. I have not time to speak of the history of this movement. I have no doubt there are gentlemen here who have been connected with it far longer than I, and know its origin and growth better; but I do know that one of the most important things in this movement is, first, the cultivation throughout the country of an understanding of what it means, and secondly, an opportunity for giving potential expression to the general abhorrence of war by the masses of the people, and the development of this principle of universal peace.

I will give you one or two illustrations of the great importance of the development of this sentiment and the extent to which the whole world looks to the United States of America for its establishment and growth and development. It has been my good fortune to come in contact intimately with the great men of the other nations of the world who are working toward this common

end. You all know what the first Hague Conference was. You all know what the expectations were when it was announced, and how far it fell short of those expectations, although it was a beginning. It resulted in what was called a court, which Mr. Scott demonstrated last night was no court, had no jurisdiction, and no law to enforce it. It was therefore nothing more than an appointed body of arbitrators. It meant that when any two nations of the world wanted to arbitrate on any question between them, and would agree on the terms of that arbitration, then certain men might be appointed to pass upon it.

I want to say in passing that nearly every great question submitted to that court has been submitted by the United States of America. They did much in originating it, and they did almost everything to keep it alive, by calling the attention of the world at large to the superior efficacy of arbitration over war. But there was formed about that time the body called the Inter-parliamentary Union. It is a body of biennial congresses, representing by choice and selection nearly all of the parliamentary groups of the world. In the last meeting, I think, all of the parliamentary groups of the world were represented.

Now the next great important step taken by America in this movement, to which the eyes of the whole world were turned, was at one of these congresses, the origination of what has since that time been termed the American Proposition. That was the bold proposition to create that Hague Court as a real court, to give to it, by means of universal arbitration treaties, absolute jurisdiction, and to provide for it a body of laws that it could enforce. A great step was taken at the second Hague Conference. I presume it has been discussed here. The great substantial advance made by the second Hague Conference over the first was an American proposition absolutely—that The Hague Court is a court, though all the details have not been worked out.

I might also say in this connection that the calling of that second Hague Conference was an American achievement. It was called by President Roosevelt, although he deferred to the Emperor Nicholas, who issued the call.

I was present at the Congress in Brussels when this proposition, this American plan, was first launched. That is what I want

to tell you about, in order to emphasize the fact that the eyes of all Europe are turned to America for guidance and inspiration in this movement.

At the Brussels Conference, when that proposition was presented by Bartholdt, it created almost consternation. "Why," the great leaders of that conference said, "that seems to us to be almost revolutionary. You Americans don't seem to appreciate the conditions and limitations under which we labor here. You go too fast for us." I say the first sentiment was almost consternation, yet when it came to be debated, every man there said, "That is what we stand for. If we do not, this Inter-parliamentary Union has no reason for existence. We dare not utter one solitary word against a single sentence of this proposition, because it is the corner-stone of our Inter-parliamentary Union."

Upon that proposition, Brand, that great Belgian, and Stanhope, of England, said: "Do you in these resolutions accurately represent the sentiment of America? Is it possible that America has gone so fast that she is demanding an absolutely inter-parliamentary law-making body, and a court at the bar of which all nations shall sift their difficulties? Is she demanding universal arbitration throughout the world, or is it simply the work of some enthusiasts who are here representing America?"

And I was called upon in that Congress to answer that question—the question, "Do these resolutions accurately represent the thought of America?"

What did I have to base my argument upon? I had simply a resolution that had been telegraphed to us, while we were in session, from the Lake Mohonk Conference adopting them.

If you go on and develop the ideas which you stand for here to-day, if the result of your work is to spread throughout the communities at large this great peace-loving sentiment, logically and properly expressed, if I am ever called upon to talk again in a foreign country I can say, "Emphatically, yes! In Philadelphia in 1908 we began a movement for the education of the people, and forty-five State delegations adopted these resolutions, and these are the sentiments of America upon this peace proposition."

I endorse these resolutions. I commend this work. I congratulate you and the officials of the Conference upon being the

first in the field. I know something of the sentiment of the Inter-parliamentary group, and your resolutions are going to be a model for all the other resolutions to be made, and I therefore heartily endorse these resolutions.

DR. TRUEBLOOD: I desire to call the attention of Mr. Moon to the fact that the first State Conference held since the last meeting at the Hague was last November, in Texas.

EDWIN D. MEAD, of Boston:

Mr. Chairman, Ladies and Gentlemen: I want to endorse these resolutions, because they are very specific and because they speak about the right thing, expressing the desire for the limitation of armaments, and for an arbitral court of justice. You have brought into sharp prominence the two things which we need to think about in the movement which has brought us together, and the only things that are very important to think about. It is a movement to supplant the war system of nations by a system of law and judiciary procedure.

The logic of The Hague movement is this, that the decrease of the machinery for war should keep pace with and be commensurate with the increase and remarkable development of the movement for the arbitrament of international disputes by law and justice. Now that is, I think, precisely the situation; the development, I say, of the machinery for the arbitrament of national disputes by law and justice. This development for the last ten years has been amazing, and if any of us for a moment forget that thing, we shall be recreant to our duty with reference for the future. Its development has been immense, and in the face of that, for any nation, a party to The Hague Conference, to be planning or talking about an actual increase of armament, is hardly short of perfidy to the fundamental principles of The Hague Conference. It is a strange and criminal blindness to the inspiring movement of national affairs in the midst of which we stand.

I am glad that at the fore part of the resolutions has been placed a demand for the limitation of armament, which the United States is in a position to make.

I congratulate the framers of these resolutions, as I do the Congress altogether, for it has the bravery that does not waste a

moment in thrashing over dead issues, but has faced the future. We have got an International Parliament, to all intents and purposes. The fight for arbitration is a fight that is fought and won. That is past history. The development of the court is going on rapidly, and I am glad that that has been placed in a special, distinct resolution. Enough has been made of that fact in the newspapers.

I think it may be a surprise to many of you here present to know that any three nations, by the terms of The Hague Convention, have a right to constitute that court, agreeing upon the judges as they may approve, but if any other nations then come into the combine, there must be some revision as to the method of selecting judges, but, as Secretary Root has said, the organization of that court by negotiation between the Governments will undoubtedly be entirely complete before The Hague Conference meets in 1915. Therefore we need not worry about that.

Let us push the reduction of the armaments of the world to correspond with the wonderful development of the legal machinery of the world; and in that connection I wish to speak of a certain matter of fact which I think is not well understood. Is it known to you that this desire for careful consideration of the reduction of armaments comes to us from The Hague Conference? The Munich Conference instructed strong commissions of able men to take up this matter of taking steps for the limitation of armaments, to report upon it and devise methods. I wish to say that the American Commission is already far advanced. The strong Americans who have been placed upon that commission are such leading representatives as Burton and McCall, General Miles and General Louis Wagner. We have such distinguished international scholars as the ex-Chief Justice of Rhode Island; John Bassett Moore, of Columbia University; the President of Lafayette College, Easton, Pa., Charles S. Hamlen, and the Dean of the Columbia Law School. These are some of the men in the American Commission, which is about to hold its meetings to consider the next steps in this matter. In passing the magnificent resolution which is submitted to us, you will be holding up their hands. You are holding up the hands of our great Secretary of State, the most constructive statesman, to my thinking, who has

been at the head of our foreign affairs. In a speech in Brazil, the two things which he asks the support of the American public are the development of this court, and the limitation of armament; and he said the other day that on the matter of limitation of armament he stands to-day, only with a deeper feeling, where he stood the other day.

It is a distinct pleasure to endorse these resolutions.

CHAIRMAN EDMONDS: We will now hear from Rev. Walter Walsh, of Dundee, Scotland.

MR. WALSH said:

Mr. Chairman, Ladies and Gentlemen: The best peace sermon I have heard, the strongest, was from the lips of an American mayor. I mean Mayor Collins, of Boston, who at the thirteenth International Peace Congress was welcoming the delegates from the different countries. He said: "The question of war is very easy. We often read in a book that most of us reverence, 'Blessed are the peace-makers.' If that is true, then 'Damned are the peace-breakers,' and that is all there is to it"; and he sat down.

Gentlemen, I am glad to see that there is a similar business-like conscientiousness, notwithstanding the making of many speeches, there is a conscientiousness, a business-like atmosphere, about this whole peace matter in your country, which I envy and admire.

It strikes me you have brought your business men, your lawyers, as well as your parsons, into very much better line, and into much more harmonious frame of mind, than we have in our country. The peace men there are still, I regret to say, faddists—beautiful people, whom it is desirable to have in the churches, but who are no account in Chambers of Commerce or the House of Commons. The inspiration of this meeting which I shall carry across to them I hope will do some little to bring about common sense of sentiment in our country. If we do not mean to be left far behind, we must wake up in regard to this war against war.

I find that you do not waste your powder and shot discussing the humanizing of war. Your business is to abolish war.

You will remember that in our war with South Africa there

came a stage in our history when our Government, having hoisted the Union Jack at Pretoria, said, "The war is over, and every fellow who makes war now is not to be treated with military rights, but is to be treated as a rebel." So the war slithered down to barbarism, as every war by the necessity of its being must do. It is all bad, it is all hell, and the only thing religious people have to do with hell is to get it abolished.

You don't talk such heresies as that great armaments are the way to put an end to war. We have been told that the discovery of some great weapon, some wonderful engine that would exterminate or destroy an army at once, would put an end to war; but I think something else will be invented to defeat this wonderful weapon. You get the torpedo, and then comes the torpedo destroyer, and so on. It is not merely the money—that is the smallest part of it; but the talent, the ingenuity, the best engineering ability, the best brains and genius on the practical side of things that civilized nations can produce, are devoted to destruction. I am glad that we do not discuss and quibble over this kind of propositions. Therefore I have very great happiness in endorsing and seconding these resolutions, which I find so business-like. I am glad you are pushing these matters of arbitration home.

The paper we had yesterday showing the futility of arbitration if you are to omit the points which are most likely to cause collision, was very gratifying. I am reminded of a story of the young Irishman who was going to have a trial, and was very down-hearted. A friend said to him, "Why, Dennis, keep your heart up, you will get justice." "It is justice that I am afraid of," said Dennis. It seems, in their anxiety to keep the extreme cases out of the arbitration courts, that it is justice they are afraid of. We have to push them into the arbitration court, and believe that the intelligence of a civilized world will give justice to one and all.

I do not feel jealous and envious. We used to think that all the great things were done in Scotland. I am glad to believe with Campbell-Bannerman, who has passed away, in his dream of peace, and that other men have taken his place. I am very willing to believe and hope indeed that the furtherance of this great League of Peace will be the mission of the United States. I

notice with joy that just at this particular moment you are having national consideration of how to conserve your national resources ; and discussion of that question, with the question of peace and arbitration and limitation of armaments go very happily together.

You are like the traveler in the Highlands of Scotland who was riding horseback over boggy ground, and he called to a boy, "Is this morass hard at the bottom?" "Oh, yes! quite hard at the bottom," was the answer. So the traveler rode on, his horse floundering deeper at every step. He called back to the lad, "Didn't you say the morass was hard at the bottom?" "So it is, but you are not half way down there yet." The nations of America and Europe are not half way.

I do not want to see America taking up the big stick and the big revolver, just as it is dropping from the paralyzed hand of Europe and other nations. It is a bad thing to see this youngest, strongest juvenile of the nations falling back on the obsolete weapons of the world which are breaking our hearts, paralyzing our hands, and emptying our pockets. During the last hundred years you have grown great without armaments, and we are able to look across the sea and congratulate ourselves, and use these strong arguments to the audiences we address. We are able to point across the sea and say, "These are the greatest people of the whole world; they have grown to be what they are without a standing army and without a navy." It seems a ridiculous thing, when you have grown to be the mighty people that you are without these things, that now, when you are so strong, you must have the weapons which were needless to defend you in your infancy and boyhood.

I am only a plain Scotchman, but I have some common-sense, I think, and I know some little bit about history; and I know how in my own country, six hundred years ago, there were a hundred thousand of the chivalry of England and France against us, and we had only thirty thousand bare-legged Scotsmen, with only a little bag of oatmeal to keep them from straving. You know what they did at Bannockburn. You know what Switzerland did against many foreign invasions, especially against Austria. You know in South Africa, for three years, thirty thousand Boer farmers (there were never more than forty thousand in the field), you

know how they kept two hundred and eighty thousand British troops at bay for three years, and then were hardly beaten.

What does that mean? Why do I quote these instances? To confirm fully the patent facts of history that under modern conditions, and with modern weapons of war, given a native population moderately strong, numerically inferior, with a country worth defending, a handful of men able to defend it, and such are the difficulties of the transportation of ammunition and troops, that the greatest invading army in the extremest cases could not defeat a native population, even numerically much inferior, standing on its own feet and fighting for its own hearthstones. If that is true of little bits of countries like Switzerland and Scotland, which you could drop in one of your lakes and it would not make a ripple, what nation, what combination of nations, could safely invade this mighty republic? Standing on its own ground, with a happy, a contented, a prosperous population, with its agriculture, its commerce, I say to you, my friends, it is midsummer madness to say that there is any nation or combination of them that wants to attack the United States. And secondly, I will say that there is no possible combination that could under any conceivable circumstances subjugate the United States of America. That being so, I remind you before I sit down what a great Scotch scientist wrote a little while ago in his book, "The Wonderful Century," Alfred Russell Wallace, one of the striking chapters is called, "How the Children are Plundering their Mother." It shows how the civilized nations of Europe and America have been robbing and plundering and devastating the earth, using up in a reckless and foolish way all its resources—just the problem you are now considering. Now, I am glad that you are putting an end to it, this robbing of our common mother, nature; and with the putting an end to the plundering, we are going to put an end to the killing of her children.

It is coming yet:

"When man to man, the world o'er
Shall brothers be, for a' that!
That sense and worth, o'er all the earth,
May bear the gree, and a' that,
For a' that, and a' that."

Charles Richardson presented a motion to send a letter of greeting to the Lake Mohonk Conference, to be presented by Dr. Benj. F. Trueblood.

Ellwood Roberts seconded the motion and it was carried unanimously.

May 19th, 1908.

The Pennsylvania Arbitration and Peace Conference, held in Philadelphia, May 16th to 19th, 1908, sends its cordial greeting to Mr. Albert K. Smiley and the Mohonk Conference. The Pennsylvania advocates of international arbitration desire to express their grateful appreciation of the long leadership, continuous initiative, and invaluable services in this great cause that have emanated from Mohonk for so many years.

FRANKLIN S. EDMONDS, Chairman.

Upon motion, a vote of thanks was tendered to Rev. Walter Walsh for his attendance.

ALFRED H. LOVE: It is most gratifying to find the movement coming up into practical work. A half a century of labor in this cause should perhaps keep me from saying a word; but apprehending that I will not be with you when the Third Peace Conference shall be called at The Hague, I have a little thought here and there to give you in advance.

Half a century ago I heard Elihu Burritt say, not a square from where we are now meeting, "We are all just as safe upon a reducing line as we are on an advancing line of our army and navy." As I remember hearing him, I have found it delightful to endorse these resolutions. Of course, I want to see the crooked ways made straight and the rough places made smooth, so that we will not have any army and navy at all, and that is one of the conditions that will make for peace. Peru and the Argentine Republic have already set us an example. They have sold or converted their vessels of war into merchantmen, and have agreed to build no more battleships, and to reduce their army. That comes from having the symbol of Christ placed on the Andes. Sixteen of the South American Republics are now arbitrating difficulties. I want to say that the resolutions meet with my entire approbation, and that I am very grateful to those who have drawn them up.

Sincerity and faithfulness in making and carrying out treaties of arbitration are essential in preventing war.

Strict neutrality should be observed when nations are on the eve of or engaged in war, so that no support be given to either side, and neither vessels nor property of neutrals should be subject to seizure. Too often the moneyed men will aid the belligerents, because they will pay more money. I want strict neutrality to mean that you take part with no side, and be fair to all.

There should be no effort made to collect alleged debts against any country by deadly force, but all such claims should be submitted to The Hague Court.

When I was in the beautiful mansion of our greatly lamented John Hay, where a large company was gathered, we brought up this question, and he said, "While I am Secretary of State, while I have any control over this government, I never will permit that we shall collect an alleged debt by deadly force. It has not been the custom of our country to do it, and so long as I live it shall never be." I remember those words.

MRS. MAY WRIGHT SEWALL: Mr. President and Members of the Peace Convention: While I do not think for a moment that I can add to the wisdom of the resolutions that have been presented to you, I wish to express my profound gratitude for the directness and simplicity with which this Convention commits itself to absolute limitation of armaments. It would have been disgraceful to do less, after hearing one of the distinguished men who spoke to us yesterday afternoon, showing that there were no questions that could be legitimately excluded from arbitration.

We know it is said, if you take out questions of honor and questions of vital interest, you have really taken out everything, because there is no human question that cannot be brought into these groups. It is vastly grateful to a dreamer and a visionary to hear a publicist, who has the respect of this nation, say exactly what visionaries have been saying. I wish to express my individual gratitude that a solid foundation of masculine sense and prudence is being built by this convention under the dreams and visions we women have been supposed to entertain. I believe it is impossible to conceive of a state of society higher, more just,

more full of love, more full of spirituality, than God intended when he created us. I am never ashamed of dreams, but I like to see them coming true, and in this convention I see dreams being built into such solidity of form and permanence of structure.

In my position as chairman of the Peace and Arbitration Committee of the International Council of Women, I am in constant correspondence with the women of twenty-five different countries. When I send out my annual statement, making up as good a summary as I can of the progress of the world in this matter, and proposing a programme, I find the women of almost all countries feel compelled to hedge and limit and restrict, fearing that what they do for the world will be considered treason to their own country, because their own country had such and such relations with other countries. Therefore, should they commit themselves to such and such propositions, as your resolutions commit the State of Pennsylvania, they fear, while they believe it and want it and work for it, that it will be interpreted as unpatriotic, disloyal and treasonable to their own government. The women of this convention can hardly too strongly express their gratitude that the men of this convention, sustained by the spirit of its women, I verily believe, have prepared resolutions which enable us as American women henceforth to demand such limitation of armaments, such establishment of an international court, as will enable us henceforth to work directly and openly for that which we have always dreamed, and with no fear of being remanded as dreamers to the background, with no fear of being denominated traitors, because we believe that the principles which have been good for the development of our own country and Republic of States are not less good for the development of all the nations of the world into an open Republic of Nations. That is what we are to work for openly—a Republic of Nations, an international, permanent congress, to be called at regular intervals for international legislation affecting international interests, and an international court of arbitration that shall as permanently sit as does the Supreme Court of any nation, for the discussing of causes between nations.

This sense of growing oneness between the nations is inevitably taking us out of the limitations of nationality into the con-

sciousness of our international relations. Presently there will be no interests left that are not international, because the way in which we will then rear the children in the home, with a consciousness of their relations to the world, and their responsibility of international citizenship, will transform our domestic relations. This teaching will deal with international interests, for we are tending to international citizenship.

Personally, and as chairman of the committee I have referred to, I feel the deepest gratitude to this convention. I hope that all of our States may come into line, and that we may stand before the world on a platform going down no less deeply than does the platform which this convention has provided in its resolutions, to which I take profound pleasure in subscribing.

Ellwood Roberts, of Philadelphia, presented a copy of a minute of the Philadelphia Yearly Meeting of Friends, held May 11th to 15th, 1908, as follows:

PENNSYLVANIA ARBITRATION AND PEACE CONFERENCE:

Philadelphia Yearly Meeting of the Society of Friends has adopted the following re-statement of its testimony on peace and arbitration, and directed that a copy of the same be transmitted to you, as a message of sympathy and progress:

With a deep sense of the perennial timeliness of the Gospel of the Prince of Peace, Philadelphia Yearly Meeting of Friends at this time re-states its testimony against all wars and fightings, and its earnest desire to promote the coming of the day when men shall learn war no more.

We unqualifiedly stand for all influences which make for peace; and we earnestly plead for the removal of all agencies which make for war. We deplore alike appeals to international prejudice and distrust, and to national ambition, by which nations are induced to accumulate and multiply the machinery of destruction.

We reject the doctrine that powerful armament makes for peace. We urge the use of every available influence to put an end to the deadly competition whereby each nation strives to outdo others in equipment for war. Such competition, once begun, cannot logically end except in national bankruptcy.

As a means leading to the adoption of Christian principles in dealing with international differences, we recognize the method of arbitration as most promising. We approve heartily the adoption of treaties of arbitration between nations, and the establishment of an international court of arbitration for all the nations.

Our earnest desire is for mutual confidence among the nations of the earth. We urge all to that constant testimony and conduct which shall tend to conserve and uplift life, not maim or destroy it. We plead for the firm establishment of our national policies,—our political, social and industrial life, as well as our intercourse with foreign nations,—on justice, righteousness, and brotherhood. Thus, and not otherwise, shall we further the peaceable kingdom of Christ, the citizens of which are known by this sign—that they have love one for another.

Signed on behalf of Philadelphia Yearly Meeting of Friends, held in Philadelphia by adjournments from the 11th day of the Fifth month to the 15th day of the same, inclusive, 1908.

WESLEY HALDEMAN,

SARAH GRISCOM,

Clerks.

A resolution of the convention of the Protestant Episcopal Church of the Diocese of Pennsylvania was read, as follows:

At a meeting of the convention of the Protestant Episcopal Church, Diocese of Pennsylvania, held in the Church of St. Luke and the Epiphany, May 5th and 6th, 1908, the following resolution was unanimously adopted:

Resolved, That this convention desires to express its entire sympathy with the convention soon to gather in this city on behalf of the great principle of international arbitration. It desires to welcome most heartily the delegates who are about to visit us, and to wish them God-speed in promoting their great purpose.

MRS. ANNA GARLIN SPENCER, New York: Mr. Chairman, and Friends: It is not for any one of New York to advise the people of Philadelphia, but as to one of these resolutions I must say, if you will allow me, that personally I do not think it goes

quite far enough. I wish we could add to this general statement something more permanent—that it is the sense of this Conference that these members of our Government at Washington, who are protesting against the increase of our navy, should be sustained. This is a radical statement, and perhaps these wise people have felt that it would be a firebrand now, so I will take my privilege as a guest to state that a time of moral danger for a movement is when it is becoming an institution; for a radical reform it is when it is becoming respectable. Just there we become a little beguiled by the feeling of gratitude, and the reform may lose a little definiteness, because we see the “middle-of-the-road” people are coming in. I hope our peace movement in this country, as it solidifies into a great institution, as the reformers gather about them the publicists and the conservative men of affairs, I hope that the peace organizations will not forget that for which they were born and to which they were called. Everybody agrees to peace in general. When it comes to a measure for peace in particular, that is where they divide.

I should be false to myself if I did not say here what I have been again and again obliged to say in the executive meeting of our own committees in the New York society. We have no reason for existence as a peace society if we are silent when there is talk all over the United States of the need of keeping up our navy. Then is the time for us to speak, not some other time, when it is an academic question. Therefore I hope that some time, not now perhaps—I yield, of course, to the wisdom of your committee—but some time I hope we may have a watch-tower, a sub-committee on the lookout, and whenever there is any measure proposed by any person in the United States, from top to bottom, that is inimical to peace principles, that your committee will put you to the test, and then you will get a ringing resolution that will be heard in the Capitol at Washington.

I believe in being conservative in method when our object is to get together as many people as we can for an important campaign. The next step comes when the test is applied as to our own ethical leadership. The ethical leadership in this country in the matter of peace ought to be in the peace societies themselves. We have had pleasure in our new experiences of getting people

to crowd a meeting to talk about peace. We are not used to being in the fashion, and we may perhaps miss our own vocation. Our vocation is to stand clearly for the principles that were enunciated last evening, and which are so well put in your own resolution—only I wish we could say that it is not for us to wait for mutual agreement, but for us to point the way.

As to your other resolution, in regard to State conferences, that conferences similar to this will be held in other States, I think the time has come when such resolutions are imperative. We are now in the van of the nations for the vitalizing of these important ideas. I believe that if we can organize these State committees, get these permanent organizations, they will really represent the best sentiment.

Our next step should be to have headquarters in Washington. We are too isolated in carrying on this work. There is not a strong movement to-day that can afford to be without a strong representation in Washington when Congress is in session. It is nations that make war. It is a national question, and our organization by States should be for the purpose, among other things, of establishing headquarters at Washington that should have there in the course of the year the ablest representatives of the movement from all quarters of the world, to influence legislation on this question. We are not an isolated nation. We never were. But we are now conscious that we are in the family, and our first entrance into the family, which expresses itself in threats or bumptiousness, ought to be moderated under the guardianship of the wisest statesmen. We ought to have these people stationed in Washington, to stay there until our movement represents itself and realizes itself in complete legislation in accordance with our programme. In New York we are doing something in the schools—in fact, we have organized a little Peace Conference in our schools. I thank you for your attention.

STANLEY R. YARNALL, Germantown: Mr. Chairman, Ladies and Gentlemen: It seems to me we are approaching the time to vote, but I wish to say in regard to these resolutions, knowing as I do the care with which they were drawn up, knowing the consultations which took place with those high in authority at Wash-

ington, that I feel great confidence in our association voting them as they stand. The suggestion that Mrs. Spencer made, and which Dr. Trueblood made before he left the hall, might be embodied, but I think beyond that point we should be careful in going. We should make our ideals high, I know. I feel also that there is great need at the present time, in the initiation of the State movement, to avoid what seems visionary or sentimental.

I believe the resolutions as they stand incorporate a number of the most vital things. They put themselves on record for the limitation of armaments. They appeal for the setting up of a court of international justice, and they deal with the matter of propagating the subject in the United States.

I should like to dwell upon the spirit in which these resolutions should be passed. This is the first effort, so far as I know, really to organize our State for the cause of peace. Many of the faces before me, I imagine, are representatives from organizations through our State where, perhaps, the banner of peace has not been raised. The desire of our Executive Committee, of all our committees, in the formation of this Conference, was that those who came here might return to their constituents feeling that they had a definite, practical message, free from any sentimentality and weakness. I trust that in the conferences we have had together, and those which are to follow to-day, this spirit has been apparent. I trust these resolutions will confirm them.

It seems to me personally a matter almost of consecration, I might say, to pass such resolutions as these. If our work is to be effective it must not cease with the passing of these resolutions. We must go back and in our communities carry on the work here started. We must gather about us bodies of men and women who will carry on this work. We must do it in the spirit of broader humanity and higher patriotism.

One of the most delightful things in connection with my work for the Conference is the friendships which have been formed, the intimate knowledge I have gained of men and women who I did not know were interested in this work at all. We have been welded together in Philadelphia, and we have felt the inspiration of standing shoulder to shoulder; and now, as we leave this Conference and go to our homes, we shall feel, possibly, the

weakness that comes from the individual position. Then we shall need all the inspiration of this Conference to carry us through, to make us state our message attractively and strongly and earnestly, until the influence shall gather strength, and our State Conference shall have its fruitage in a larger national work.

HENRY C. NILES, York, Pa.: Mr. Chairman, Ladies and Gentlemen: I am very glad of the opportunity of saying that I approve of these resolutions, and hope that they will be adopted as reported. Very much for the reasons stated by Mr. Yarnall, I believe that at such a time an under-statement is much more effective than over-statement. In such a society as this, even in a peace society, to use a martial expression, resolutions may be a sort of battle-flag, that a great soldier may rush into the enemy's country and set up as a standard, by which the forces may take the ground. In order to make that rush effective, there must be a force back of that hero ready to make good his defiance of the enemy. I apprehend that we are not in that position now. We are organizing the force that when organized, and when it realizes its power, shall be able to follow such a leader into the enemy's country and make good his heroic act.

In order now to form this force, we are setting up, not a standard in the enemy's country, but a recruiting station. We are putting on the invitation to join this army statements that shall approve themselves to every one, if possible. These resolutions are of that character. They are what we believe. They may not be the limit of what we believe; they may not be the extent of what we hope other people in a few years may be induced to believe; but these resolutions ought to be attractive to the kind of people that we expect to reach, to the kind that have not yet given as much attention to these matters as some of us have. I like them on that account. There is not one against which a logical, substantial argument can be made. There is not one of them that scoffers could designate as the result of a meeting of a lot of crank reformers. That to me is a very desirable thing. They ought to approve themselves to every man who is intelligent, who loves justice, who hopes to see it established and extended, who hopes to see the whole world brought within the jurisdiction of some finally supreme court.

This idea that we Americans shall be first, the first of the two or three nations, as I understand it, that are necessary to join in the establishment of this first real court of nations, is most important. I hope these resolutions will be adopted as reported. I believe there is nothing in them that ought not to be approved, and there is nothing in them to arouse reasonable antagonism or opposition.

THE CHAIRMAN: We have before us the report of the Committee on Resolutions, with various suggestions.

A motion that all of the amendments which have been regularly offered be adopted was seconded and carried.

THE CHAIRMAN: The first question will come upon the resolution on Japan offered by Dr. DeForest.

The secretary read this resolution, and it was carried unanimously.

The report of the Committee on Resolutions as amended was unanimously adopted by a rising vote.

The secretary then read letters from Hon. George Gray, of Delaware, and Hon. George W. Guthrie, of Pittsburgh, which were ordered spread upon the minutes of the Conference.

A few brief expressions of sympathy and co-operation followed.

The meeting then adjourned.

Sixth Session

THE EDUCATIONAL MEETING

TUESDAY AFTERNOON, MAY 19TH

The sixth session of the Conference, held in Horticultural Hall on Tuesday afternoon, was designated as the Educational Meeting, and was devoted to the consideration of education as a factor in the movement for Peace and Arbitration.

Dr. Leo S. Rowe called the meeting to order at 3 o'clock p.m., and made the following remarks:

LADIES AND GENTLEMEN: It is a very significant fact that in the study of our great national problems, whether they are political or social, we are ultimately led back to their educational basis. The clear conception of their obligation to her national life has characterized the activities of our American universities, as distinguished from institutions in all other portions of the globe. The close relation between our institutions and our national life is manifest, with their readiness and willingness to prepare men for active service in every field of national activity, give to them a position very different from that occupied by institutions of learning on the continent of Europe.

One of the leaders in this movement—one of the men who grasped very early, in his university work, the national as well as the international obligations of our universities, is the gentleman who is to preside over this meeting this afternoon. I need not introduce him to you, and need only mention his name, Dr. Charles Custis Harrison, provost of the University of Pennsylvania. (Applause.)

DR. HARRISON said:

LADIES AND GENTLEMEN: So many meetings have been held, and so much notice has been given in the public press as to the purposes of this Pennsylvania Arbitration and Peace Conference, that I need not refer, at this time, to that part of the question. This is called an educational meeting, and one of its purposes is

to throw the weight of the influence of the universities and colleges and schools of this State and of our sister States towards the encouragement of the National Government in the steps already taken at the two Hague Conferences, and in those which are soon to be taken at the Third Hague Conference, to be convened not long from now. The meeting is also intended as an evidence of encouragement from all educated people toward the national government in the treaties of arbitration which have been made, and of those which are to be made that as many questions as possible may be honorably settled by arbitration, and in no other way.

Within two or three days we have been informed that a treaty of arbitration has been arranged between the United States and Japan, by which treaty all questions except those which have to do with the national honor, or with a question of territorial possession, will be settled peaceably and in no other way.

I am sure that there is one other reason, and perhaps there are two other reasons, which I should like to advance before I introduce the speakers of this occasion, which has been at the root of calling this educational meeting.

I am sure also that this meeting, held here in the State of Pennsylvania, and in Philadelphia, is to be followed by meetings to be held in other States; and certainly one of the notable reasons for these meetings is that the rising generation now in the schools and colleges and universities of eighty millions of people may also understand just what the blessings of peace are, and what the disasters of war are, and in a case of emergency may have learned beforehand to choose an honorable peace, whenever that be possible, in preference to settlement of any question martially.

The third reason is that the attitude of the whole people of the United States may be understood upon this question, so that when the conference meets at The Hague, the third conference, our sister nations of the world may understand precisely what the attitude of these United States is—what our democracy of self-government, nearly one hundred millions in number, means, and what our attitude is upon this question.

It is only a few months ago—it was on the 22d of February of this year—in the building hard by this one, the Academy of

Music, when our late ambassador to the Court of St. James, Mr. Choate, delivered his oration before the University of Pennsylvania. He was fresh from the Second Hague Conference, and in the course of that oration, which has been, I doubt not, broadly read throughout the world, occurred two or three remarkable sentences. He made the results of the Second Hague Conference the principal topic of his discourse, and he states without question that "the Second Hague Conference was the first real parliament of mankind."

He contrasted the results of the Conference with the admonition of Washington, that "We should cultivate peace and harmony with all nations." He further said that if Washington himself had written the instructions under which the Conference of the United States went to The Hague Conference, there would have been, in his judgment, very little change in the wording, which was sent out from the Washington of to-day—the capital of the nation.

I think perhaps the most practical remarks which he made in his oration were these: "That the purpose of the meeting and the call for the meeting, at least, indicated the highest water-mark yet reached in the rising of human progress."

I think such an expression as that the Second Hague Conference indicated the "highest water mark yet reached in the rising tide of human progress," is somewhat the same as this audience felt to-day. It is to push this rising tide still further that the colleges and schools and universities of our country must align themselves, and that all practical measures which lead to an honorable settlement of the questions which must rise between all powers—all practical helps, such as courts of justice, for the nation to render aid, which will give the people, in the first place, time to think, the time to settle such questions by adjudication, will certainly be welcomed by every educated woman and every educated man.

It is needless to say that the foundation of our educational institutions, the foundation upon which their superstructure has been built, lies upon peace. No one can read the old history of the foundations of schools or academies or colleges without being struck with a clause which occurs almost every time that you read

of such foundations; it is some such clause as this: "The education of youth is of the most essential consequence for the peace of society." You find these words everywhere; the peace and the welfare of society depending upon the education of the youth.

The history of our State is well known to us all in that regard, and the history of our sister States in the South is very similar. I don't know that there is anything more elevating or at the same time more pathetic than the early efforts made for the peace and welfare of society, than the foundation which was laid in some of the States in the South. In Mississippi the people of that State founded the beginning of a university, and their aspirations were indicated by the name, which they gave to their university. They called it "Oxford," and the University of Mississippi is now at Oxford, Miss. It was the same way in the State of Georgia; what the people meant by determining to have a university, and by naming the place where that university should be, was indicated by the name which they chose for the town. The University of Georgia is located at Athens, Ga. Now they have Oxford in Mississippi and Athens in Georgia, indicating more clearly than any long words can do the aspirations of the people of these Commonwealths in founding universities.

The first speaker of to-day is the president of one of the groups of colleges associated with the University of Georgia—President White, of the Schools of Agriculture and of Mechanic Arts, has come from his home especially to address us this afternoon. I beg leave to introduce him to you, with the heartiest thanks on the part of all of us, as his interests are so deep, and the movement which has had such progress here will doubtless have the same progress under his leadership in the South, in his own State of Georgia. It is a pleasant duty to introduce to you President Henry C. White, of the University of Georgia, and the College of Agricultural and Mechanic Arts.

HOW CAN THE COLLEGE AID THE PEACE MOVEMENT?

DR. H. C. WHITE, UNIVERSITY OF GEORGIA.

The assignment of this topic as one worthy to engage the attention of this Conference merely emphasizes what, of course, must have been recognized from the outset, that the purposes of the Conference can only be accomplished through the growth of a favoring public sentiment. Certainly true in America, it is also largely true for all civilized countries, that public opinion, manifested in varying ways, controls the domestic policies of the nations. It needs only enlightenment and a clear understanding of the intimate connection of domestic welfare with foreign relations to cause public opinion to dominate foreign policies as well. Public opinion is moulded, at last, by the intelligence of the community. And the nursery of intelligence is the college.

The American college has many useful functions other than those exercised within the college walls, and in many ways it may influence sentiment in the body politic, but its best contributions to human progress come through the young Americans whom it trains. It is this aspect of the question to which I shall confine myself.

The question before us, therefore, is, In what manner may the agencies for intellectual and moral training employed by the college be legitimately and most effectively utilized to increase intelligence in the matter of international relationships?

The conduct relations of individuals and groups of individuals involve, of course, both moral and intellectual considerations. It is undoubtedly true that, in the evolution of human society, moral considerations have frequently quickened intellectual endeavor. But, surely no American college of to-day performs its fundamental duty or discharges its fundamental business that does not insist upon recognition by its students of such elementary principles of morality as that an individual may not murder, may not steal, may not lie, may not wantonly inflict injury or distress upon another, and that what an individual may not do an aggregation of individuals may not do, whether it be denominated a Black Hand Society or a nation. The recognition of the obligations of

morality in international relations follows, as of course, the recognition of the obligations of individual morality. So far, therefore, as the creation of a sentiment for moral conduct in international relations is concerned, I fancy nothing is needed to be added to the normal endeavors of the college in the inculcation of morality. In other words, I do not see that our purpose may be greatly advanced by special effort to present or emphasize the horrors, the miseries, the inhumanities and the crimes attendant upon war. Knowledge here and a proper attitude may be assumed as a necessary corollary of the regular day's business. Moreover, it is a rational sentiment we wish to develop, not an emotional sentimentality.

Assuming acquiescence in fundamental morals, the adjustment of conflicting international interests, as of conflicting individual interests, is clearly a purely intellectual proposition. The question is, How may this be presented to the college community? I should answer, Just as any other great intellectual proposition. No American college worthy of the name can, of course, be didactic in advocacy of one or the other side of any intellectual proposition. Absolute freedom of inquiry and absolute freedom of opinion in matters intellectual are of the essentials. Even if it were not so, sentiment otherwise created would be of little worth. The college may only provide, or, perhaps, insist, that inquiry shall be full and opinion genuine. Assuming proper training of the reasoning powers which arrive at right judgments, intellectual opinions are formed by, first of all, an examination of the facts. So far as college agencies are concerned, the student obtains his facts from his instructors, from his text-books and from the college library. Considering the immensity and the importance of this great intellectual proposition of international relations which is before the civilized world to-day, no college can well afford to fail to provide for its students all available literature and other means which may present the facts in the case. This involves no large expenditure of effort or of means. For the essential facts for present consideration are comparatively few and not difficult to obtain. Without going back over the entire history of human endeavor in social evolution leading up to the present status of the case, they are; That the great civilized nations of the world

are now actually in amicable conference through regularly accredited representatives with a view to the establishment of some tribunal other than that of armed physical force for the satisfactory adjustment of conflicting international interests; that the desirability of arbitration, in some form, as a substitute for war is conceded by all the nations; that its practicability only is at home, with no positive denial on any hand; that the form which the instrument of arbitration shall take, temporarily or ultimately, and the nature and extent of its powers, are details—vital, it is true, but details—which assuredly may be arranged if only the intelligent public sentiment of the nations—critical, if you please, but intelligent—stands back of their representatives, in full knowledge of their endeavors and ready to insist upon and acquiesce in the results. All the facts of the great conferences should be available to the college student and all the literature in reference thereto should be furnished by the college library.

To arouse a sympathetic interest in an examination of the facts by the college student, in the multiplicity of matters exciting student interest is a somewhat more difficult proposition. The method, I think, should depend somewhat upon the individual "atmosphere" of the college. Focusing attention by setting aside a special day or providing special occasions for presenting the subject to the students as a whole should, I think, be a suitable and effective plan in any institution, if the presentation is wisely done, and in a manner to lead to individual inquiry and examination—for it should be remembered always that the desired sentiment must be developed by *education*, not by didactic teaching. As a subject for prize essays, the matter will at least be kept standing in the student sight, and a few good men will be led to careful and sympathetic inquiry, but general sentiment is not largely affected thereby unless, perhaps, the essays are published in college journals or used for college addresses. I am rather doubtful of the efficacy of college debate in clarifying a proposition requiring calm, unexcited deliberation for arriving at right judgment. My observation of student debates is that they are not unlike intercollegiate athletics, in which the chief interest lies in the gaining of the victory rather than in the merits of the sport, and the most vociferous "rooters" are frequently those

who know least and care least about the game, except, possibly, as an instrument of contention. And it is the "rooters" we are especially after.

I am inclined to think that perhaps the most effective and hopeful way to develop student interest is through the development, first, of faculty interest, if this be possible. We sometimes forget that the student body is a variable function in the college organization, while the faculty is relatively a fixed quantity. I do not know that it is largely deserved, but the reproach is frequently directed against the necessary specialization of the modern college professor that it removes him to some extent from sympathy with ordinary human interests. It is probably true, especially in the larger institutions, that specialization puts many excellent men out of touch with communal college interests. And yet the fact remains that the teaching staff is the most powerful influence in college thought. I suspect that there are very many among the thousands of American college professors who, if approached on the subject, would make substantially the reply of the ordinary "man in the street:" "Oh, yes, international arbitration is doubtless a very good thing—probably Utopian: I have not had time to think much about it. War is, of course, what Sherman said it was; but we have always had wars, and probably always shall," and so he goes about his business, and lets it go at that. If some enthusiasts in the faculties would undertake missionary work among their colleagues, I am inclined to think a powerful influence in American colleges would be developed favorable to intelligent consideration of the great question of the world's peace. The ways in which it might legitimately be exercised are numerous and need not be detailed. May I venture, however, to suggest one simple way which might be found effective. In certain departments of the college—as history, civics, sociology or law—the matter of international relations will be presented in the course of regular instruction and have critical and intelligent examination, but, as a rule, a comparatively small proportion only of the students is thus reached. In other departments it would seem that the subject could only be, as it were, lugged in by the heels. I do not know that this is necessarily so. A college may not inaptly be defined as an institution for inculcating

the universality, the necessity and the reasonableness of law. Law natural—the generalization from observed natural phenomena of the arrangement which preserved conflicting natural forces from disaster and permits orderly evolution of the physical universe. Law human—the generalization from the observed facts of human experience of the arrangement by which conflicting human interests are preserved from mutual destruction and the orderly evolution of human society ensured. As a necessary part of the instruction in any department of the college is the explanation of the nature of law, opportunity is afforded to suggest, in any department, by way of illustration, the naturalness as well as the reasonableness of acknowledged law rather than passionate force as governing the intercourse of nations, and to make mention, at least, of efforts now making to that end.

The summation of my argument is that to create a sentiment in the American college favoring international arbitration as a substitute for war, the college student should be provided with all the facts and suitable literature connected with efforts to that end and be urged to sympathetic examination of the interesting and inspiring intellectual propositions involved.

But perhaps I am mistaken, perhaps I go too far in assuming that the average American college community concedes that arbitration, if practicable, is preferable to war in the settlement of international disputes. If so, then our only hope is in a complete moral regeneration, and, as contributory thereto, I venture to offer briefly one or two suggestions. Young, red blood is hot; passion is closely attendant upon virility; the fighting instinct inherited from our far-back ancestors is strong in youth. Indeed, if by international agreement, enlistment in the armies of the world were limited to men over 40 years of age, we probably should have very few serious wars. The subjection of all these animal propensities to spiritual control is the object of the general moral training of the college, remembering that college sentiment is not largely formed by considerations which appeal only to the "goody-goody" or the "mollycoddle." So far as these animal tendencies affect individual relations, and in accomplishing the severance, without destruction, of virility from passion, the ordinary discipline of the average American college is, no doubt, fairly successful. The most promising avenue of extension to

international relations is perhaps through a better and more intimate knowledge of contemporaneous foreign peoples, which the college might endeavor, in various ways, to provide.

There is a very prevalent belief in the adolescent mind (not confined to the adolescent, however,) that, after all, there are good results of war, which, in some measure, may counterbalance the evil—as in the awakening of proper national aspirations, the solidifying of national sentiment, or the strengthening of national character. Even if this were true it would be but apology, not justification for war. War is dramatic and focuses public attention; so frequently is and does a murder, and many admitted crimes produce some results not altogether bad. It is not true, of course, that war is a necessity to any of these good ends or is ever largely a creditor in the balancing of good against evil. The truth would appear from an examination of the facts, and there are certain departments of every college whose business it is to present these facts. May I be pardoned a pertinent illustration in this connection? It is frequently proclaimed with much fervor that our poor, little absurd Spanish war (for it was that, with no disparagement of the heroism and valor displayed) was worth all it cost, in the occasion it gave for restoration of fraternal feeling to the sections of our country previously unhappily estranged. Now, as a matter of fact, the fraternal feeling must, actually, previously have existed; it could not possibly have been created by the war. The war undoubtedly gave opportunity for its expression. But I am amused to remember (as I do distinctly) that identically the same thing was said, and with as much enthusiasm (at least in my part of the country) on another, a previous dramatic occasion, when, by peaceful and orderly procedure there happened to be elected a Democratic President of these United States. We were then assured that, by reason of that fact, the war at last was over and the “bloody chasm” bridged. Of course the bridge was built when the present generation came upon the stage, and we were all looking furtively about for any appropriate occasion which would give us an excuse to call attention to it. As a choice of occasions, even partisan differences must admit that the benefits to the country of Mr. Cleveland’s comparatively uneventful administration far outweighed any possible benefit we have derived from the Spanish war, and the evils (if there were

evils, which I do not admit) were insignificant in comparison. Confidentially, I venture the further opinion that all the militant forces recruited in the South during the Spanish war had no more (if as much) to do with the restoration of fraternal feeling than the quite respectable and influential army of southern office-holders appointed under Mr. Cleveland's administrations.

The confusion of nationalism with patriotism, while not peculiar to youthful minds, is a frequent accompaniment of youthful ignorance. Here in America we are, fortunately, at great advantage in the opportunity for promotion of peace through patriotism. The hero who appeals to the normal collegiate imagination is not the physical weakling who does right because he fears the physical consequence of doing wrong, but the big, strong fellow, gentle because unafraid; conscious of his physical ability to take care of himself under any circumstances and chivalrous, good-natured and forbearing through knowledge of his strength. How amply fills the measure of such hero this great Republic. By blood and by tradition chivalrous, good-natured, generous and just. In power marshalled ultimate strength able and content even to take the chances of "unpreparedness" for war, if necessary to secure unquestioning recognition. Of the genuine desire for peace. And with it all, abounding opportunities to dazzle the nations with exhibition of virile strength in gigantic industrial enterprise at home; in adventurous but peaceful exploitations of a great continent lying to the South and a frozen empire subduing in the North. American youth need no foreign wars as spur to patriotism and national pride. And above all surely a stirring appeal is made to the national ambition and the national pride of the average young American collegian in the prospect now affording of glorious fulfillment of the prophecy of the greatest of American seers in that the American scholar, the American man thinking is at last quickening the "sluggard" intellect of this continent to look from under its iron lids and fill the postponed expectation of the world with something better than "all the nations have ever yet conceived—a reasonable, practicable plan for present partial accomplishment and ultimate realization of the ages-old dream of poet, philosopher and sage—'The Parliament of Man, the Federation of the World.'"

EDUCATION A FACTOR WHICH MAKES FOR PEACE.

BY PRESIDENT LAWRENCE A. DELUREY.

GENTLEMEN: If there were no other manifestations of encouragement in the interest of peace, this meeting of educators would be sufficient guarantee that the time is fast approaching when international arbitration shall become the medium of diplomatic negotiations, and when peace will be the chief object of foreign offices of all governments.

The famous philosopher of Heidelberg, Kuno Fischer, in speaking of the efforts made in behalf of peace at The Hague Conference, said: "Of the three theological virtues, Faith, Hope and Love, I have abandoned the first two, so far as permanent results in the interest of peace is concerned." With all due respect to the memory of that philosopher, we have signs all around and about us that his critical judgment may be more relied upon when dealing with Descartes, Spinoza or Kant than when he attempts to become the interpreter of history and her development in the future. I am sure that, had he lived to see this day and to attend this meeting, and witnessed the assemblage of educators who have left their cloistered studies and their congenial pursuits in order to give stimulus to this most magnificent and noble cause of peace, he would have rejoiced with us and revised his utterance, which I have already quoted.

Beholding the venerable and learned provost of the University of Pennsylvania presiding over this meeting of educators in the interest of international arbitration and peace, one feels almost the stirring pulsations and the great agitations of the days of the immortal Hugo Grotius. Much of the adverse criticism of the past against Grotius may still be repeated and maintained; but the results flowing from his work and over those who followed him can never be wiped out and must increase as the time goes on.

It is most fitting, first of all, that the citizens of the United States should exert every influence both in their individual capacity and through governmental channels, to bring about a tribunal of arbitration looking toward the establishment of the principle of peace in international, diplomatic negotiations. True liberty is incompatible with intolerance. Tolerance begets those ami-

cable dispositions both in the individual and in the nation that lead to conciliatory action and finally to peace.

As we have taken our stand amongst the nations of the earth in the interest and in the defense of liberty, and have made that principle the corner-stone of our governmental life and proclaimed it to the world, we must follow that principle to its end; and that end is toleration, a conciliatory temper toward other nations and a peaceful settlement of all difficult and complicated conflicts which international life presents.

It may almost be regarded as a warning from heaven that at the end of our conflict with Spain in 1898, in the interest of oppressed tribes, the Czar of all the Russias astonished the world with his manifesto in the interest of peace, which led finally to the Conference at The Hague, and which has accomplished so much already towards the desired end.

At first the opening of The Hague Conference, in the presence of the many delegates, plenipotentiaries and ambassadors, attended by many educators and members of faculties of the Dutch universities, the Government of the United States, by the hand of her ambassador and the distinguished American educator, Andrew D. White, placed a wreath of her tribute upon the tomb of Hugo Grotius, and thus signalized her hearty acquiescence in the great movement of international peace.

But more so is it proper and befitting that the educators of the world, and especially the educators of this young, giant republic, should exert their influence and should use their best endeavors to give dignity and stimulus to that great, noble movement, the advancement of the great divine mission of Christians, namely, "Peace on earth; peace amongst men; peace amongst the nations."

Education stands in a very close relation to this movement; the whole work of education with the individual is the proper, as far as possible the perfect, and most harmonious developments of the elements in man.

Education, to be worthy of the name, must, aside from the mere imparting of knowledge, tend to chasten the various faculties and to bring them into harmonious subordination, one to the other, and thus enable man to fulfill his mission on earth and

utilize the various functions within him towards the accomplishment of great results.

In the perpetual discord of what the great Apostle of the Gentiles calls the war of the spirit against the flesh and the flesh against the spirit, education plays, aside from religion, a most conspicuous part. Judiciously directed, properly managed, and wisely executed, education contributes vitally toward the conciliatory tone of the flesh as well as toward the tolerant attitude of the spirit toward the flesh. And as education succeeds in her mission with the individual, it provides peaceful minds, amiable nations, tolerant individuals for the halls of legislation and for the council chambers of the rulers of the world.

Education which develops "snobs" puffeth up and makes of its beneficiaries bloated encyclopedists, who look down with contempt upon their less fortunate brethren, is not true education; does not make for peace, but promotes strife.

Whatever may be the defects of the various educational systems of the present day, we may proudly assert that we, the educators in the United States of America, are the representatives of an educational system which, to a very large degree, follows the ideal of a peaceful and harmonious development of all that which is good in man, and of the subjugation of all that which is bad, and hence makes peaceful citizens and educates peaceful, tolerant and wise members of the republic and thus aids indirectly every movement of peace; and when a specific movement like this demands our attention it is but proper and dutiful that we should respond to the call; and should, as educators, contribute our share, our influence and our prestige in the advancement of that noble cause.

The governments of Europe were almost wholly achieved by conquest. Might and not right, was the watchword of the ages; subjugation, and not pacification, was the motto inscribed over the threshold of every ruler's house. Much of it we may regret, and yet we must acknowledge that much of it was necessary or rather inevitable, owing to the condition of the times, to the lack of enlightenment, to the unfavorable environments; but as soon as enlightenment began to dawn, mankind was taught the lesson of peace.

The Founder of Christianity uttered the word peace after his

great triumph and re-appearance amongst his followers, and engraved it upon the imperishable canvas of his teachings. In a word, as soon as education, either of a religious nature or otherwise, was the lot of the people, peace demanded its rightful place and voice.

The first attempt of education in the interest of peace was the task to conquer man in his unholy desire to enslave the weak and the helpless. When the abomination of slavery established itself as an institution, education, then only of a religious nature, showed its refined feelings and tender sympathies as well as its psychological keenness in the interest of mankind. Man was taught not to make war upon his fellow-man or upon the individual; in that direction the Epistle of Paul to Philemon may be regarded as an immortal piece of statesmanship in dealing with the question of slavery.

Already in the year 521 councils commenced to agitate the question of the freedom of the slaves, and enacted laws looking toward either the amelioration of their condition or toward their complete liberation. So at every stage in the development of history we find peace advanced, defended and insisted upon by those whose mission it was to educate the human family spiritually or mentally, or both. And when education received its powerful stimulus during the period of the Renaissance, though it tolerated the inevitable strifes and bitter words which followed in its wake, it, nevertheless, used every opportunity by means of education to bring the various nations closer together in a peaceful relationship.

In the olden days, with shame be it here acknowledged, war was often waged under the auspices of religion and in her name; the logic then used in behalf of war was on a par as to its soundness with the reasoning advanced in the interest of war, especially in the demands made upon our own Government for the increase of military and naval power in the interest of peace. Then the logic was that religion demanded the supremacy of the good and the extermination of the evil. To-day the logic is that plenty of battleships and a large army is merely a prelude and preparation for peace. Now education has contributed her noble share to

dispel these illusions, and to make war in the interest of religion for all future times impossible.

Whatever education has done in the advancement of the various branches of science; in a better understanding of history; in the science of ethnology; in acquiring a more sound, solid and perfect method in the study of religious archæology; in shedding light in general upon the attitude and the motives of the various races of the world, it was a contribution in the interest of international tolerance, good will, arbitration and peace.

For the immature children of that age, the crusades which turned Europe into an armed camp was a mighty spectacle, not without noble inspiration, and to a degree salutary, for high education has so equipped us with a desire for peace that we would accomplish the same end to-day by diplomatic negotiations, without loss of life, shedding of blood, the destruction of property or the many untold woeful results.

Would time permit, and courtesy not forbid, we could show more in detail the close relationship between education and international peace; but for this occasion it suffices to show that this close relationship between education and international peace makes educators the most fit men amongst the citizens of this republic to co-operate with every movement and to aid every effort that makes for international good will and finally for international peace. "The man behind the gun" has become the watchword of the warrior; let "The educators behind education" become the motto and the power in this righteous and noble movement in the interest of international peace.

As educators, we can in our own capacity favor the interest of international peace by ceasing to substitute in our institutions of learning "jingoism" for patriotism. We love our country and are proud of it, and ever ready to bring every sacrifice in her maintenance and defense of her dignity and honor; yet we may just as well by precept and example teach those who are placed in our charge that patriotism does not mean national bigotry and governmental intolerance; that patriotism is quite compatible with international good will, arbitration and peace. We have very often failed in this respect in the past. Before we became pos-

sessed of national conscientiousness, by virtue of our geographical situation and colonial habits, our patriotism was neither broad nor very pacific. And as we advance in national greatness we should teach the young that our country is the best, and our government the wisest for us, for our environments, and in accordance with our own historical developments. But we should not omit to remind them that the other sheep, which are not of this republican fold, are worthy of our consideration, of our sympathy and of our kind treatment. And with gratefulness I mention it, that there are symptoms everywhere that we have in education reached a point, that we inculcate a more enlightened conception of patriotism which makes for peace.

If I may be permitted to incorporate in my remarks a suggestion, I will respectfully submit that we may advance the interest of international peace by a systematic, organized effort in the various institutions of learning in the State of Pennsylvania in some form or another.

But, whatever may be the wisdom of this Conference in its deliberation of peaceful measures, let us talk peace and work for peace; let us, in our capacity as citizens as well as in our war capacity as educators, destroy the illogical and specious argument that demand destructive weapons of war for the purpose, as they claim, of preparing for peace; let us send the penetrating arrow of reason into the thinly fabricated armor of war measures under the guise of peace. We, whose forefathers have defied a powerful kingdom in the interest of liberty, should not shrink from the easy duty of resisting the war-like lust of our legislations or rulers in behalf of measures that inevitably produce international irritation and make for arbitrariness, a hostile attitude, and finally for war. And in this State of Pennsylvania, and in this City of Brotherly Love, where peace was preached from the beginning of its foundation, and where for peace sake men have endured much persecution, let us raise the voice of reason, light and religion, all three combined, in true education, in the interest of international arbitration, conciliatory relationship, all making for international peace.

Education, the source of peace, the mission of peace, the foster mother of peace, let her be employed in the interests of peace,

and let her representatives raise their voices in the furtherance of international good will and peace.

CHAIRMAN HARRISON: Ladies and Gentlemen: With those to whom the history of the State of Pennsylvania is known it is unnecessary to refer at length to the next speaker. Peace was the keynote of the founding of the province of Pennsylvania. Here Whitefield preached, here Audubon came, here the first hospital was established, here the first dispensary, here the first scientific society for the promotion of knowledge. A representative of the founder of the Commonwealth of Pennsylvania, and the president of not only a notable college of Pennsylvania, but one of the noted colleges of the land, is with us, and Dr. Isaac Sharpless, President of Haverford College, will address us.

WAR AND EDUCATION.

ISAAC SHARPLESS.

We are sometimes told, and I know nothing to the contrary, that in the wild state animals never die a natural death. The weakness of disease or old age comes upon them, their helplessness is quickly noted, and they fall a victim to some ruthless beast of prey. A sick or maimed wolf is reduced to a mass of bones by his own parents or children or brethren. The fishes in the sea, with pitiless greed, devour each other for self-sustenance. Everywhere, except for parental solicitude, which lasts but for a time, the law of the forest among flesh-eating animals is self-preservation without any restraining sentiment of sympathy or compassion.

But the same animal in contact with man responds to kindness. The domestic prototype of the wolf becomes a trusty and obedient companion of man. He is taught habits and tricks by rewards and gentleness better than by penalties and fear. Contact with man destroys the natural tendencies of the brute, and replaces them with something more human.

Civilization has the same effect upon humanity. The martial elements, anger, vengeance, destruction, disappear, and are replaced by appreciation of others' rights and wishes, cordiality

and helpfulness. Sometimes these are superficial, but, even then, they are the homage paid to the qualities which are recognized as the elements of real success and proper conduct.

Between nations war represents the system of the untamed brute. Conciliation, diplomacy, fairness in conceding the rights of others, decency in the methods of maintaining our own, make up the system of the civilized man, the man into which the rude being that now exists is to be educated.

Everything, therefore, that exalts military spirit, that preaches the glory of the fighting qualities, that makes national greatness dependent in the mind of the boy upon the largest army, the biggest guns or the most formidable battleships, educates the nation downward. It constitutes a relapse into savage conditions, a relapse from which it will doubtless recover, but which is unfortunate and probably unnecessary. Everything which exalts the greatness of justice, of self-sacrificing righteousness, of the recognition of rights where there is no force to back them up, of an ever-ready willingness to submit our causes to judicial tribunals, is an education along the line of normal progress to which we are destined, but which may be hastened or retarded.

Such would seem to be one of the evils of great armaments whether on land or sea. They teach the nation to resort to lower motives. They encourage the idea that its safety is insured by material power rather than by justice, and so, in time, it becomes careless of justice and if strong enough, acts for seeming self-advantage regardless of right. They create a strong party whose interests lie in war and the prospects of war, which tends to dominate the thoughts and policies of men, and exalt the lower nature and lower standards above the more spiritual and philosophic. They divert us from the real grandeur of peace and prosperity to the debasing reliance upon brute force.

Admitting this, the question becomes one of method only. We must seek a normal progress towards a normal end, and in our country, this progress is inevitable. Given an unfettered play of forces, the laws of development lead a free nation towards higher standards and the elimination of the unfit.

It is not wholesome from the point of view of moral develop-

ment that 70 per cent. of the federal revenues are expended in preparations for war.

We have only to glance over a century of past history to note the truth of this. In this time, lotteries, which were ubiquitous, which had the sanction of great names and seemed to find justification in churches and colleges, public buildings and new cities developed, which were used to settle decedents' estates and provide ready money for financial stringencies, have disappeared by the prohibition of every State in the Union, and the closing against them of the federal mails. Duelling, often deplored, but apparently a necessity of certain situations, has succumbed to public opinion. Slavery, that seemed in the fifties to have safely and permanently entrenched itself, and to be in a condition to spread its conquests, came to a sudden end, not just as anticipated, but fairly as a result of a moral sentiment which used loyalty to the Union as an effective weapon of destruction.

Even political graft and selfish motives in official life have somewhat loosened their hold. He who would deny this should read the lines of early history, and note the venality and egotism which marked the smaller men of the era of Washington and his immediate successors. Under towering temptations, our public men of to-day withstand the assaults of greed better than their counterparts of a century ago, because public sentiment demands more of them and they rise to meet it.

There is, as you will say, another side to the picture not so encouraging. New evils have arisen, and some old ones may be more threatening, but any fair integration of all tendencies must show a positive sign. The moral outlook is not near so ominous, as in many murky times of the past.

The growth has never been uniform. There have been waves of reform, to be followed by recession. The whole has been spasmodic, and in the dark days discouraged and discouraging men get in their work, noting conditions that are either local or temporary or both. When normal times of improvement return, it is possible to take a more general view either as to time or space, and a healthy optimism reasserts itself.

It seems to me a matter of great importance that every young

person at school or college should be strongly impressed with this sane and healthy belief, that in a free play of forces there is always progress, the rate of which is dependent upon the energy and intelligence of individual and organized effort, and hence that not only he is responsible for a share of this growth, but that he is a part of a dynamic organism, bringing results with encouraging certainty. It is thus that the enthusiasm of youth can be fairly appealed to, to enter into labor for world-wide ethical results.

That peace rather than war is the objective of moral development is not likely to be seriously questioned. That war includes a whole list of evils, and being abnormal, retards and opposes this development seems also quite susceptible of proof. Hence comes the corollary that the methods of ending is to afford a legitimate field for intelligent and self-sacrificing effort.

It is a subject full of difficulties. The prejudices of centuries glorify war for its own sake. Heroism and magnificent self-sacrifice are intimately associated with it. Literature of the most inspiring sort, from the Iliad downward, recounts its praises to ever-willing and ambitious youths. The Old Testament, as usually read, is a stimulant, both emotionally and morally, to deeds of martial prowess. Our most potent ideas of patriotism are indelibly associated with wars that made or saved our national existence. The most of this we do not wish to uproot, nor do we ever wish to fail to give due honor to the men who from noble motives endured the risks of battle or the dreary monotony of camp life. All we want to do is to find a way which will make such sacrifices unnecessary, such untoward conditions impossible.

A still greater difficulty than the history and traditions of the past is the supposed necessity of the present. We must fight; there is no other way possible in certain emergencies, say our statesmen. No one can fail to see the force of this and very few are willing to admit the validity of the one way always possible, which is to refuse to fight and take the consequences. And yet it seems to me increasingly probable that a determined resistance to evil, aggression which always stops short of warfare, is the program which some nation must adopt as the concluding argument against this old practice, sanctioned by patriotism and liter-

ature and religion. Public opinion must be made to recognize the possibility and the grandeur of a universal fraternity and a world-wide patriotism. In the mean time, the practical substitute has to be worked out and the task is large enough and interesting enough to command the best scholarship and statesmanship of civilization.

We must be something of idealists, with a faith in the inherent power of truth to carry us over unforeseen difficulties. Difficulties often disappear as we come to them. If we are right in theory, there are many ways to escape intricacies into which we seem to be going, ways which no forethought would anticipate. Sometimes these come by the simple recognition of rectitude by those who would otherwise be opponents; sometimes by the effect of political arrangements which stop short of attacks upon others' rights; sometimes they appear as the result of a moral power in human development not much appreciated, but which protects those who trust in it.

Plato wrote the Republic, which, while never tried in practice as an entity, has had a large influence in determining human institutions. The same is true of Moore's Utopia. Nowhere could there have seemed a worse time to talk religious liberty than in England in the time of Henry VIII; of course, it was impossible to test the theory at home, so he applied it to the mythical land of "Nowhere." Locke wrote an ideal constitution for Carolina, but it did not work. I can recall but one case where a philosopher has developed in his study a government and then worked it out, on comparatively new ground, in person, and that was the experiment, as he confessed it to be, of William Penn. Maryland announced religious liberty, but gave it up. Rhode Island, with a handful of people, achieved a success which, however, did not seem conclusive. But Penn, undeterred by lack of historical proof, unless these two little trials can be called proof, boldly trusted the soundness of this theory and upon it staked his fortune, his reputation, and the credit of his religious society, which he had more at heart, perhaps, than fortune or reputation. How well that trust was repaid, the whole history of our country emphatically tells. No one questions religious liberty in theory or practice and American institutions largely rest upon it.

Penn had another theory, which he welded with that of religious liberty, but whose triumph we cannot, as yet, assert with equal confidence. He would have peace. He would make no provision for offense or defense. There would be no forts, no militia, no ships of war, only police for criminals, and guns for wild animals. The history of this experiment is not so convincing as in the case of liberty. It was troublesome while it lasted and by most people would not now be pronounced feasible. When a French boat burned the town of Lewes about 1706, killing some people and carrying off others, men asked what would be done if it had been Philadelphia. When all the other colonies united in supplying men or means to attack the French possessions in Canada, they asked why should not Pennsylvania join in the common cause. When, as the result of injustice inflicted on the Indians by a non-sympathetic governor, they began to plunder and scalp on the frontiers, the question inevitably came up and was hard to answer: "What are you going to do about it?" And when the Presbyterians, the political opponents of the Quakers, declared that "to govern is absolutely repugnant to the avowed principles of Quakerism," it was not absolutely conclusive as a "*tu quoque*," though it was somewhat witty, to reply "*To be governed is absolutely repugnant to the avowed principles of Presbyterianism.*" There was no completely satisfactory answer to these questions from the point of view of immediate utility.

Yet with all these difficulties of administration, it must be remembered that by hook and crook, by good faith or by shift expedient, these early Pennsylvanians *did* make their policy work for seventy years. No martial force invaded their territory, no warlike expedition left their borders. The ideal of William Penn *did* become largely a reality, and it did not break down in practice till alien doctrines and opposing ideals had first invaded its territory.

If these founders had been asked their underlying thought, though so far as I know they never expressed it so succinctly, they would probably have replied something like this: "We will act justly, even generously with all men, red and white alike. We will never be an aggressor. If attacked, therefore, we will always be in the right. We will not yield one iota of our rights

willingly, but will defend them by all means which, in themselves, are right and honorable. We cannot fight, for we believe fighting is immoral, and we will not do wrong, even for a righteous cause. If there is no other alternative, we can suffer, as in the past we have shown a capacity to suffer in England, and conquered by suffering."

We cannot see just how, in the subsequent history of the country, all wars could have been avoided. We have not had such faith in our principles since Penn's day as to trust them. We have committed ourselves to the guidance of the ordinary forces which sway the destinies of nations and have taken our share of the ups and downs of public standards. The peaceful lesson of our northern frontier since the war of 1812 did not prevent us from driving a sad and demoralizing bargain with our southern neighbor in 1846. All the time the upward tendencies of humanity have been struggling for expression demanding their legitimate place in our development. They could not be crushed out. In untoward times they carried their load of opprobrium, ready to rise again when the nation came to itself.

A negro congregation adopted resolutions on the death of a minister, beginning: "Whereas, it has pleased an all-wise and unscrupulous Providence to remove our dear brother ———." Somewhat the same sort of a providence has permitted wars and out of them has come much good. The growth of the world has been upward in spite of many hindering circumstances. You can find many evils, out of which good seems to have emerged. All that can be argued from this is that in the play of forces tending every whither, there has been a resultant which has pointed upward. How much stronger this resultant would have been had many immoralities been restrained no one can tell. But sequence is not always consequence, and reasoning that a cause is holy because a result, which may have had many causes, is satisfactory can only be justified in the case of omniscience. He who seeks for enduring fame must find it in an advocacy of peace and justice. The glories of conquest and fighting are necessarily ephemeral, for they are simply an adaptation of opportunists to imperfect and immoral conditions.

In the ordinary events of life, involving no moral basis, we

will properly judge the wisdom of a policy by its apparent results, but when it comes to a great national question involving a world-wide evil, we must trust more than ever we have done to moral law. We have ceased to trust to seeming utility when we build bridges; we go back to the unescapable laws of mathematics, and they do not fail us. The laws of physiology and bacteriology are ever more and more relied upon in the diagnosis and cure of disease. We trust them, and they are worthy of trust. Can we assume that the providence that provides by orderly methods for our physical needs has left the world without a standard of rectitude, upon which to base its far more important spiritual advancement in an orderly way? Let us trust this a little more, have less reliance upon guns and slaughter, upon the reversal of the moral law involved in war.

This faith it is the place of our schools to maintain—the faith that civilization is better than barbarism, that good will triumph over evil, that sober thought becomes a people, rather than passion, that spiritual powers and rectitude of intention count for more than physical force, that there is an underlying moral law which determines progress and by which alone real prosperity is to be gained; that it is better to work in harmony with this law than against it, or to lie athwart its current.

Such a teaching will appeal to the best instincts of unspoiled young men. There is enough of mental and moral energy in it as a theory and in its development as a practice to stimulate their most enthusiastic loyalty and their best trained intelligence. Upon them, before they get the prevalent view, called by worldlings “getting there,” and by modern philosophers pragmatism, rest the hopes of this triumph of civilization and religion.

But the schools must do something more than supply the inspiration. It is one of the just defences of war that it develops, with much that is degenerating, certain moral lessons of high value. The ideas of exalted self-sacrifice, of willingness to endure hardness for a good cause, of persistent contest with difficulty, of the rigid discipline of the camp and battlefield, are taught in the case of those who go into it in the right spirit and with a good conscience, with striking success. Through them the nation is pervaded with a certain character which is opposed to a

sensual, mercenary, selfish spirit, the banè of our modern material development; the spirit which produces the men who, as our President says, find "their faces to grow hard and cruel as their bodies grow soft." If the process of education and evolution abolishes the wickedness and unreason of war, we must provide a substitute for its better side. Our schools must supply the habits and discipline necessary to meet the strenuous conditions of the times. They must cease to be simply easy and interesting, and with ever emphatic insistence demand work, the conquest of difficulties, the training which comes alone of individual exertion, the habit which grows not from listening to stories, but from hard, often unpleasant exertion. They must learn that education which is worth while, comes from a few subjects fully mastered, rather than from a glimmering of many pieces of information on the mental horizon. They must give the moral basis of a strong life, in habits which keep at a task until it is accomplished, in courage that cheerfully faces difficulty with a confidence in its inherent power to overcome, in a self-denial that gives the higher preference over the lower, and puts the heavens above the earth.

When our schools, from primary schools to university, breed such a race of men, there will be no need of war to teach virtue, and the last excuse for its existence, except at rare intervals as a necessary evil, will have disappeared.

CHAIRMAN HARRISON: I have the honor to introduce to you the president of Washington and Jefferson College, also the one-time Moderator of the General Assembly of the Presbyterian Church of America, Rev. Dr. James D. Moffat.

ARE COLLEGES TRAINING PEACEMAKERS?

PRESIDENT JAMES D. MOFFAT.

LADIES AND GENTLEMEN: I knew that I would be on this platform with several other college presidents. Inasmuch as all college presidents think alike, I was disturbed lest all my speech would be said in advance. I therefore asked myself, "Is there any phase of this subject that I can select that my brothers are not likely to select?" I said, I will bring the matter home. We

do not like to talk about what takes place within the walls of our own institutions. We prefer to talk about the walls themselves as they have arisen, and the walls as we should like to see them rise in our colleges. I said, I will take and answer the question whether our colleges are training peacemakers or warmakers.

There are some people whose sole idea of the college life is derived from what they read occasionally from the daily press, and these may be disposed to answer this question with a prompt and decided negative.

The other day I read an item in one of the daily papers to this effect; that an intercollegiate debate between Harvard and Yale Universities required but nine lines to describe it in the daily press, whereas if it had been a football contest between the representatives of the same institutions, they would have given for a description of it nine columns, no doubt illustrated by the pictures of the heroes of the modern battlefield. It is not very strange that people who have formed their conception of college life from this superficial representation of it should suppose that we are not engaged in training peacemakers. The padded suit has come to be regarded as the symbol of college life, as the padded cell has come to be the symbol of an institution of an entirely different character. Yet those of us who have inside information feel quite prepared to answer this question in the affirmative.

It is my belief that we are training peacemakers. I wish to give but three reasons for this answer. The first need not be more than stated. It is that those who engaged in athletic contests bear a very small proportion to the body of the students gathered together in our institutions of learning. Their work is in public, and it is essentially spectacular, and therefore it commands an attention that could not possibly be given to the work of the larger proportion that is not in public, and is not at all spectacular.

It is of the divorces that we read in public prints. We do not read of the millions and millions of homes in which harmony prevails, and no war is carried on outside the four walls of the residence. So of the vices of society we hear and read; the virtues are exercised in private life.

My second remark is that students will be found the world over in the van of the progressive march of civilization, onward and upward. In some countries they are the leaders of reform movements. They are not so noted in our land, for we do not need so much reform in our country as is needed in many another country, where students are gathered together in institutions of learning. We have had so many reforms already that it keeps our students busy catching up with the history of them, and I think they will be found drifting along at least with that current which is carrying along the best element of the world's humanity to-day. Let me illustrate if I can, even by a reference to our college sports.

This peace movement did not begin yesterday. It began years and years ago. It has had its various stages of progress, and we have not yet reached the highest stage in our progress toward an enduring and satisfactory peace. In the beginning, as you know, man sought peace by war. By the exercise of force, as directed by strategy and cunning, they obtained peace. If peace is itself a desirable end, it has generally resulted from war, but not then entirely satisfactory to both parties engaged in seeking it.

This is only the first stage. Then comes the second stage, in which our international disputes are referred for arbitration, a method not altogether satisfactory, characterized quite too much by the spirit of compromise, disputes being settled not by the application of the best principles so much as by desire to please both parties.

We are endeavoring now to bring about a third and higher stage, in our seeking of international peace. It is by means of judicial determination, an attempt to adjudicate according to the principles of law, international law, the common law recognized by people who have attained a certain stage in their moral development. It is our hope that ere long we shall see, not a board of arbitration making compromises between the nations, but a genuine court, that will endeavor to interpret and apply law as expressing the fundamental principles of ethical conduct.

There is still a higher stage in store for the nations of this world, for I do not regard an appeal to the courts as the highest

and most satisfactory mode of settling private disputes. As a private individual I have kept out of the courts and so much as lieth in me I will keep out of the courts. The great majority of the citizens of the United States have never gone to law. We cannot yet dispense with courts of justice and the administration of law, but as a people we are reaching that stage in our moral development when personal discussion and negotiation can settle our disputes without calling in any outside party.

When I look at what has taken place in college life within my own lifetime, I think I see that even in colleges we have passed the first stage, and even passed beyond the second stage of arbitration. It is true that we are in the midst of an evolutionary process. The whole human race is growing somewhat better from year to year and from century to century. This upward movement is not due to any one mind, or the work of any one generation. All that we can do is to accelerate the movement somewhat by our own individual contribution to the general tendency of things; but the evolutionists not only tell us that there is this upward and onward movement of all things from something lower to something higher, but that the individual himself is liable to pass through these different stages.

Before we reach our present manhood we sometimes begin as vegetable, and pass on through the brute stage, and finally reach humanity in its fullness. Those of us who live in colleges see something of this process. Why, there are young men in college who seem to us to be simply vegetable. They grow big, and they don't act and move like animals. There are others who seem to develop their brute nature, their physical strength, and in due time, if we are patient, we see the gleamings of mentality even in these strong, big fellows; and when we give them our diplomas, you may accept them confidentially as fellow-men, but in the final stretch they will exhibit some of the peculiarities of human nature. The microbes which they have received from past generations begin to work their way out, and we are glad to say that we can see them coming to the surface, and we are given a chance to destroy them.

They are not instinctively peace-lovers whom we gather together in our colleges. Once in a while there is something that

is brutish and something that is irrational, even in the settlement of their disputes. I have lived long enough, I think, to see even in their intercollegiate games and sports a passing onward and upward in this evolutionary progress. When I was a boy I played ball, I played shinny, I played other games familiar to boys of my day. We had our disputes, and we settled them ourselves. If we had any shinnies, and our shins, we also had them in such a way that we could make use of both to secure peace. It was not entirely satisfactory, but it was generally very effective.

Then came the second stage—not exactly arbitration, for youth passed over that period—and it is adjudication to-day. There is not a game that takes place between colleges to-day which is not presided over by an umpire, or two or three of them, and their interpretation of law determines the right of the contesting parties. We have reached that stage in our development in college life when the verdict of the umpire is accepted without question by the defeated party. It is regarded in college life as somewhat disgraceful to try to shoulder the blame of a defeat upon an umpire. We have our intercollegiate associations, where the members of the faculty meet together and consider the regulations that should be respected, that each may carry the principles of just treatment into effect even in intercollegiate games.

Now, the important effect of that immediate thought of evolution in college life is to acquaint college students with all the principles of arbitration and the settlement of international conflicts, which you have had presented to you from this platform during these conferences.

I want to speak, thirdly, on one other thing, that might be overlooked. The modern spirit finds a welcome home in every college. The modern spirit is sometimes called the scientific spirit, and sometimes the philosophic spirit. Now it is a different spirit from what prevailed some years ago in all circles of society. It is a determined search after truth, by men who don't believe that they have the whole of it in their present possession. It is a readiness to abandon a theory the moment a single fact appears in conflict with that theory. It is the judicial spirit, in contrast with the old partisan spirit, which pervades the entire college curriculum.

We teach history in that spirit. History is no longer written and studied with a view to uphold the principle of "Our country, right or wrong." There is an honest attempt to look at all past controversies from the other point of view. To-day there is more interest in studying our revolutionary war from the English point of view than from the American point of view. We are revising the verdicts of history in our college courses, and we are rapidly approaching the time when the whole history of the past will be re-written, and re-written in the interests of giving due credit to every nation and to every party that has had anything to do with the world's onward progress. It is being studied in our institutions of learning to-day in the interests of that obliteration of racial and national distinctions which will enable us to say that all men are of one blood, and that their diversities have contributed to the general advance. As soon as that spirit is fully incorporated in the human mind, that man becomes a rational being, disposed to determine his own conduct by the dictates of his reason rather than by the dictates of his feelings. Sentimentality is swept aside, and men ask, "What is the right thing to read, or to stand upon, in this age or in future ages?" It is the inculcation of that modern spirit underlying this whole movement which makes our nation so anxious for new methods of reaching peace, not for our own nation alone, but for all the nations that dwell upon the face of the globe.

There are reasons why, from my standpoint as a college president, I am ready to assert in any presence that the colleges of our country and of our day are proclaiming these statements. We are not training those who give any tolerance to a mollycoddling policy. College life is just as strenuous as ever it was. It is very far, let me assure you, from being a dull life that the young men of our colleges are leading. There is self-assertion, but there is self-control as well, and as this development goes on they will be ready to take their places as statesmen rather than as warriors, planning for the elevation not of their own nation, but of all nations of the world, so that a universal peace may be brought in, not as a result of war, not even as the result of compromise and arbitration, but as the result of a general prevalence of the principles of righteousness, which lead men to deal fairly with

their fellow-men. When that spirit is more universal there will be a good deal less talk over war. (Applause.)

CHAIRMAN HARRISON: Ladies and gentlemen, some four years ago we had a visit at a peace conference held in Boston from a pastor who came all the way from Dundee, Scotland. That was the Rev. Walter Walsh, who has come to us now to spend a few weeks and especially to take part in this peace conference, and to be present at the arbitration meeting soon to be held at Lake Mohonk. All of us know of Mr. Walsh's book, "The Damage of War." It is a damage to the church, a damage to the press, a damage to the principles of every individual, a damage to the soul, a damage to those who control political affairs and to the school child. The Rev. Mr. Walsh will speak to us this afternoon and will close the series of addresses to which you have listened by speaking upon the question of war as a "moral" damage to the school child. I have great pleasure in presenting to you the Rev. Walter Walsh, of Dundee, Scotland.

THE MORAL DAMAGE OF WAR TO THE SCHOOL CHILD.

BY REV. WALTER WALSH.

English was the poet who wrote, but universal is the principle contained in, the couplet,

'Tis education forms the common mind;
Just as the twig is bent, the tree's inclined.

Speaking from an experience as an administrator of various educational bodies, extending over many years, recalling the sufferings of my own children as pupils in the public schools of Scotland during the period of the Boer war, and after careful and minute collection of facts and incidents thoroughly authenticated, the present speaker undertakes to make good before this important congress of educationists the proposition that the war-spirit is displayed in its most unnatural and revolting characteristics by the moral damage it inflicts upon the school child. Hideous as is the bodily slaughter of our young manhood demanded by the military Moloch upon the field of battle, more abominable

still is the sacrifice of the soul of childhood in the school-room. Indeed, it is the demoralization of the scholar that makes possible the destruction of the soldier and the devastation of the field. Therefore the wounds of battle can be staunched only in the school-room. Salvation must begin with the A B C. Judgment must begin at the school-house.

In his mysterious "Dream Fugue," which, like the vision of a later Ezekiel, ecstatically pictures the thunderous announcement of the victory of Waterloo, the rapt De Quincey perceives a baby in the path, threatened by the furious Jehu who shakes the earth in his zeal to break the news of battle, and the terrified seer cries aloud, "O baby! shalt thou be the ransom for Waterloo? Must we, that carry tidings of great joy to every people, be messengers of ruin to thee?"

We know that the vision was a reality. The soul of the child is the price we pay for our Waterloos.

The modern spirit is increasingly offended by a dual morality which prescribes one law for the individual and another for the community, one doctrine for the church and another for the senate, one set of principles for a time of peace and quite a different set for a time of war. It is with growing discomfort that the citizen is carrying around the modern world two Sinais, two sets of commandments, or perhaps more correctly, a Sinai in one part of his mind and a Calvary in another, this inculcating hostility and that prescribing benevolence, to-day feeling that it is his duty to die for, and to-morrow that it is right to kill, his enemy. It is with growing uneasiness that he dedicates one-half of his life to Christ and the other half to Cain, printing the Golden Rule upon one lobe of his brain and the *lex talionis* upon the other. He is Dr. Jekyll, the pacifist, and Mr. Hyde, the militarist, in one skin; but the pacifist is steadily absorbing the militarist, involving him more and more in the pains of death and the terrors of judgment.

The demand for a harmonious and coherent ethic would become more and more important if the public mind could be brought to realize the disastrous effect of dualism upon child nature,—how it splits childhood into halves, giving one-half to the true mother, Humanity, and another half to the false mother,

Militarism; how it forces the half-conscious soul of innocence into an uneasy feeling that it has to choose between "gentle Jesus" of its hymnology, and the teacher who prescribes such a battle-song as:

"We talk of night surprises,
Of sudden fierce attacks,
Of shooting Indian rebels,
Of bayoneting blacks."

Detailed proofs of the moral damage inflicted upon the school child by the war-spirit become visible the moment we turn our eyes to the sanctuary of the class-room. Take the case of two nations actually at war with one another. What is the nature of the instruction imparted respectively to the children of those nations? Almost universally, they are dosed with biased comments upon past history and excited diatribes on contemporary combats. If we could take seats in such a class-room, we should not unseldom hear a narrow provincialism propounded in the name of patriotism by instructors who were really partizans masquerading as patriots. Honorable exceptions, to be sure, there would be; but the prevailing temper would certainly be that indicated by Herbert Spencer in his "Bias of Patriotism." At such times the usual subjects are neglected for declamation on the passing incidents of the campaign; the settled findings of history are forsaken for dilations upon the distorted and ephemeral bulletins from the front; studies of historical characters are displaced by newspaper sketches of the generals in the field. Essays that were formerly prescribed upon the nobler themes of literature now turn upon the respective characters of the belligerent peoples, the enemy being represented in the darkest and most slanderous colors, while the aggressive people are painted as the bravest and most virtuous imaginable. Sometimes the school song is turned into a hymn of battle; the drawing lesson is a caricature of the enemy. An inspector regales a public meeting with the pitiful spite he has taught an innocent child to set down in its essay.

Lower still is the deep in which the school child is taught that it is base to think his country to be in the wrong, treacherous to disagree with his country's quarrels, cowardly to grieve when

a large number of the enemy's men are killed in defending their own. Lowest of all is the deep in which the infant non-juror, the non-conforming pupil, the child of pacifist parents, is insulted in the class, persecuted in the playground, and terrorized by the agents of a militarized government, which controls both the school and the army, and is fast learning to bless the day it was driven by zealous educationists to drill the scholar as well as the soldier.

When this stage has been reached, the children will begin to understand that they are not expected to apply to international relationships, as to periods of war, the ethical principles they have been taught in the Sunday School, the moral instruction class, the young citizen class and the home. They will know that these principles relate only to personal affairs and to times of peace. They will recognize that the arts of war—"legitimate warfare" is the phrase—include all the mean, false, cowardly and unchivalrous actions they have been taught to despise in their own behalf—such as stratagems, ambushes, spying, eaves-dropping, hitting from behind or when a fellow is down, lying, forging letters, telegrams, signals to mislead the enemy, following up a beaten enemy and hammering at him with cavalry and artillery so as to annihilate him; insisting upon the severest possible terms of surrender, or refusing all offers of surrender with the order, "Take no prisoners." They may perhaps learn the explicit declaration of a British commander-in-chief, that while "Truth always wins in the long run" and "Honesty is the best policy" did very well for their school copy-books, they are not to be acted upon in war-time; and they will rightly conclude that the same actions which are counted vicious, cruel and disgusting in personal affairs, become virtuous, lawful and praiseworthy when perpetrated upon a national foe. Who can wonder if they not unseldom conclude that all they wrote in their copy-books is open to the same repudiation; that chastity, justice, truth-speaking, magnanimity, commercial integrity, a fair day's work for a fair day's wage, are equally, under special conditions, subject to suspension or repeal? Who can blame them that, being taught that it is permissible to suspend the decalogue for their country's sake, they afterwards repeal the Ten Commandments for their own? As a matter of fact, is it not certain that projection of the fighting ethic into the

domestic and industrial realm is the principal cause of poverty, injustice, disorder and the principal hindrance to the general elevation and advance of civilized affairs?

Why are we so foolish as to think we can gather grapes from thorns, or make silk purses from sows' ears? If we systematically inculcate two contradictory codes of morality, how are our children to decide which code to follow, or when to follow one rather than the other? Will they not naturally do just as their fathers have done before them, choose the "line of least resistance," and follow the code which is more convenient and profitable? Will not they put expediency before principle? Will they not infer that the religious principle can be detached from whole segments of life? What can be more confounding to the moral sense of a very young child than to hear a teacher commend these military operations his father has taught him to abhor, or even insult the sentiments his mother has commanded him to reverence? What can be more perplexing than this collision between home and school, parent and teacher, nay, between teacher and teacher, class and class, book and book, subject and subject? Those who have seen the pained look upon a child's face, the excitement, the resentment, the flush of injury, and noted the hardening effect upon the child mind, will understand. To tear a child limb from limb would hardly be more cruel than to ravage his tender soul with this clash of ideals, this conflict of authorities, and would certainly be less wicked. The spectacle of the war demon assiduously poisoning the well-heads of humanity, is one of the most distressing that can afflict the thoughtful mind. To instil the principles of intellectual atheism into his pupils would be considered a thing monstrous and unnatural in a pedagogue, but is it any nobler to sap a child's faith in morality, truthfulness, consistency? Are not the very bases of human nature shaken when we teach childhood that, under certain conditions, it is lawful, even laudable, to kill, lie, steal, boast, slander, glory in slaughter, trample down harvests, burn up houses, make other children fatherless and the mothers of other children widows? Is not this to filter the very quintessence of immorality into the inner soul of childhood? Sang William Blake, the gentle author of the "Songs of Innocence":

He who mocks the infant's faith
Shall be mocked in age and death;
He who shall teach the child to doubt,
The rotten grave shall ne'er get out.

Is it not possible to have Blake's seer's vision, and discern the very closest connection between our systematic demoralization of the child's mind, and the hideous, abominable and unnatural conditions which prevail between the families of the nations? For the sake of some imagined national good, we are plainly consigning the childhood of the nation to a moral hell of hopeless inconsistency; we are prolonging the noxious habit of double-mindedness into an age which at the same time in every department of its affairs cries aloud for conciliation, reconciliation, at-one-ment, and confesses that it can find happiness and universal peace only in unity of thought, of motive and of purpose.

The process of debauching the child soul in order to degrade the scholar into a conscript is well understood by the evil power that sways the militarized governments of the world, whose purposes would be ill served by the abolition of the dual code of ethics, and the reign of the one law of reason, justice and love over the political as over the personal affairs of life. The governments that own both the army and the school find free, universal, tax-supported education a new opportunity for developing their military resources. Hence the encouragement given to rifle brigades, shooting clubs, cadet corps, and military drill of various kinds. The school-room is a recruiting ground for the army. The teacher prepares the way of the recruiting agent and the drill sergeant.

The friends of democracy and popular education have good reason to bewail this unexpected result of their splendid struggle for universal, state-aided and state-directed schools; for while the pioneers aimed at making a broad road from the school to the university, the militarist is striving more and more to transform it into a highway to the army. Particularly unhappy would it be if the wistful militarist could compass his end in the public schools of the United States. The very fact that your schools are international in the truest and largest and most literal sense gives the American teacher an opportunity unequaled in any other country

in the world. Into your seminaries are gathered the plastic minds of the youth of all nations, first of all, no doubt, that you may show them how generous and hospitable is the ideal of American citizenship, but also that you may further show how American citizenship itself leads up to a citizenship of the world yet more ample and fraternal.

The inevitable result of our dual standard of ethics is not wholly a matter of speculation, but is attested by facts tabulated by the statistician, and which the ethicist finds explicable in no truer way than has been indicated. It is noted that every outburst of military energy is followed by an increase of crimes of violence, though the limits of the present address forbid any attempt to exhibit the connection of war-like operations with "juvenile crime" committed by "young offenders." Even in the prison cell another queer paradox must puzzle the ex-scholar, if he has really acquired powers of reflection—the paradox, namely, that a government should clap a lad into jail as a criminal for doing in his own person that which in the school-room is praised as patriotism when done in the name of his country.

The purification of public ethics, the sweetening of international ethics must proceed from the school-room. The angel of mercy must smile down upon guileless childhood from the wall of the school-house without any suggestion of brazen wars or burning Moloch behind the picture. The foul vapors from the field of carnage must be excluded from childhood's temples, that the flowers of innocence and pity may acquire a heavenlier lustre than when they drooped in the abodes of prejudice and revenge. The old-time brute must no longer be permitted to ruin the evolving angel. The future humanism must not longer be sacrificed to the "patriotism" of an hour. The voice of childhood must be universally raised only to the music of home and nature, of joy and faith, of love and peace, of innocent delights by stream and meadow, of manly enterprise and womanly grace. Schools and schoolmasters must busy themselves to substitute the principles of justice for the prejudices of patriotism; to exalt reason, moral suasion, magnanimity over aggression, intolerance and force. The history book must not regild the faded exploits of the military conqueror, but proclaim the peaceful heroisms of the ex-

plorer, philanthropist, inventor, saviour and martyr. The man-slayer must become the villain, not the hero, of the human tragedy. It must be made an infamous offense to teach a child to despise life when it is incarnate in a so-called "enemy." No longer must childhood be called upon to admire "hell" and "the sum of all villainies," but to put the virtuous who retain their virtue amid every inducement to vice far above him who merely displays brute courage against odds. Their attention must be diverted from the fighter who saves his life by taking the life of another, to the worker who cheerfully dies to save a mate from danger, or manfully plies his tool to minister to the well-being of society.

The teacher, particularly the woman teacher, will be the saviour of the child, the apostle of the higher civilization. The proportion as unity of mind and motive are produced in the school-rooms of the world, the unity of peoples will organically follow. If, as has been said, the battles of England were won in the play-ground of Eton, the war against war will be won in the school-rooms of America.

CHAIRMAN HARRISON: Ladies and Gentlemen: Of course, this meeting will be immediately adjourned, but before doing so I am sure you will desire me to thank President Moffat, President White, President Sharpless, President Delurey and the Rev. Dr. Walsh, not only for the papers which they have read, but for their presence on the platform this afternoon.

It seems to me that we ought not to adjourn without recognizing that the ways of peace are being prepared. It has become a saying of history that the days of peace are known as the Peace of God.

This meeting is now adjourned.

Seventh Session

THE BANQUET

TUESDAY EVENING, MAY 19TH

The seventh session of the Conference was a banquet, given at the Bellevue-Stratford on Tuesday evening, at half-past six o'clock.

Honorable Wayne MacVeagh was chairman of the meeting, which was opened with the following remarks:

LADIES AND GENTLEMEN: It is a most agreeable duty to bid you a hearty welcome to the closing scenes of our most successful conference of the friends of peace, and we are, as Philadelphians, as Pennsylvanians, as Americans, very proud and very happy that it has been from start to finish so eminently successful and so educational. It is especially fitting that here in this city, named not of hate but of love, not of war but of peace, we should have offered to the orators of last night one of the most brilliant and inspiring audiences which it was ever the privilege of a public man to address.

The addresses last night were worthy of the splendid assemblage of the cultivated men and women of Philadelphia who met to welcome them. Now, in this closing hour, our hearts are full of jubilations, full of pride in what has been done in these few days, in offering to the world conclusive proof that the heart of the nation's people is sound at the core, and that we are well aware of the mission God has confided to us, and with his help we will discharge it—the mission of religious liberty, of peace, of fraternity and good-fellowship.

I am very glad to present to you a gentleman representing our sister republic of Cuba, who is an ardent advocate of the good cause you have at heart, His Excellency Senor Gonzalo de Quesada, the Minister of Cuba. (Applause.)

ARBITRATION IN THE LATIN-AMERICAN
REPUBLICS.

BY SENOR GONZALO DE QUESADA.

MR. CHAIRMAN, LADIES AND GENTLEMEN :

I am deeply grateful for your kind invitation to say a few words at this banquet and I thank you most heartily for the opportunity of enjoying your hospitality. This reunion is in itself a convincing proof of the success of your work and of the high spirit of cordiality which inspires it. To your gathering you have brought the representatives of great and small nations, men of various continents; you have had in mind the principle of justice and humanity and not the one of might and power.

To the first of these principles Latin-America has been devoted since its birth. Hardly had the patriots to the south of you achieved their independence when they strove not only for alliances among themselves, not only for continental liberty, but for the loftiest of ideals: the Brotherhood of Man!

Three-quarters of a century before the call of the First Hague Peace Conference, the Washington of South America, Bolivar, the heroic and invincible soldier, foresaw those assemblies where nations were to meet on a plane of juridical equality, and to come closer together in the respect of their independence for the promotion of such rules of conduct which would forever banish war as the means of settling their disputes, making arbitration the supreme judge in their international differences.

This alone and the subsequent and consistent efforts in the cause of arbitration should be enough to entitle Latin-America to the regard and consideration of the civilized world.

Nevertheless superficial observers are wont to sneer contemptuously at the countries and men of Latin-America, and those interested in the exploitation of its rich lands would have the world see only the natural and temporary shortcomings of those young nationalities and deny them the noble virtues with which they have endeavored, at the cost of their very lives, to modify and correct the inherited disadvantages with which they came into political existence such as the physical geographical character of their vast, isolated territories, and, above all, the colonial insti-

tutions under which they had been brought up, not the best preparation, by any means, for self-government.

These carping critics, mere soldiers of fortune in quest of fraudulent concessions and illicit business, talk high about disorders, instability and revolutions—which they themselves foment, abusing the welcome of generous peoples—and the scholar has no chance of being heard in defense of the Latin-American statesmen who have struggled patiently for a century to weld together the elements of a population consisting of the descendants of a proud and conquering race, and of the enormous native mass which, instead of disappearing, as in the north, has been saved from extermination, and lives and enjoys to-day the continent of their forefathers.

The thirteen colonies were in fact thirteen free commonwealths and when they were emancipated they had little to change in the spirit of their institutions. The American revolution was but an evolution, but when the Latin-American colonies became independent they had to uproot, to clear the earth, to sow and to plant anew. With you, independence and republic were synonymous; with them the hard lesson of liberty had to be learned. The revolution in Latin-America did not end with the departure of European troops; it continued and had to continue, irrespective of the wise and impartial opinions of those who only care that their investments yield them huge and easy dividends, and who for the welfare of those countries go far away from their own free homes in the unselfish missionary work of elevating the turbulent, ignorant, mongrel and hot-tempered latins; these revolutions which are necessary evils in the formative period of nations, and have existed in all communities where old forms of tyranny lurking under subtle disguises must be destroyed in order that true liberty shall cease to be the empty shadow of a name and become a substantial reality.

Still in the midst of all their internal political disturbances, Latin-America has kept before it the ideal of international arbitration. The Congress of Panama in 1826, called by Clay "the boundary stone of a new epoch in the world's history," the proposed meetings at Mexico in 1831, '38, '39 and '40, the conferences of Lima in 1847 and 1864 and the second congress planned

to be held at Panama in 1881, were the heralds of those future Pan-American Conferences which were to encourage and strengthen the solidarity of the American Continent.

When in 1880 Colombia and Chili signed a treaty binding themselves to submit to arbitration, whenever they could not be arranged through diplomatic channels, all controversies and difficulties of whatever nature, and to endeavor at the earliest opportunity to conclude with all American nations similar engagements to the end that the settlement by arbitration of each and every international controversy should become a principle of American public law, they were not only keeping up with the movement for the rule of reason and law, but were showing themselves to be far ahead in the propagation of that doctrine which, once established by universal consent, will banish forever the sufferings and misfortunes of war with its accompanying devastation and death.

And such was the confidence of these nations in the uprightness and fair play of the United States that they determined that in case no agreement could be reached in the selection of the arbitrator, the arbitrator was to be none other than the President of the United States of America.

The first Pan-American Conference was held at Washington in 1889-90, and not one of the Latin-American nations failed to respond to the call!

In that conference, and always the pioneers of most advanced principles of justice, all the Latin-American nations, but one, voted that conquest was never to be thereafter recognized as admissible under American public law; that all cessions of territory made subsequent to that declaration were to be absolutely void if made under threats of war or the presence of an armed force; that any nation from which cessions shall have been exacted might always demand that the question of the validity of the cession, so made, should be submitted to arbitration, and lastly that any renunciation of the right to have recourse to arbitration should be null and void whatever the time, circumstances and conditions under which such renunciations shall have been made.

The Argentine Delegate, Señor Quintana, who afterwards was to occupy the presidential chair in his country, laid down,

once for all, the doctrine that "to the eye of International American law there are on this continent neither great nor small nations; all are equally sovereign and independent; all equally worthy of consideration and respect."

It was the Argentine Republic itself with Chili which was to give to the world the first and only example of the realization of that object which the august Czar of all the Russians had in mind when he called the First Peace Conference: the limitation of armaments.

The treaty as to this point and the arbitration of their boundaries is one of the most beautiful triumphs of reason over force, and well was it symbolized by the statue of Christ, on the colossal pedestal of the Andes once scaled by the veterans of San Martin on their mission of fraternal co-operation for liberty, and the words engraved thereon shall be a consoling message to humanity for all ages: "Sooner shall the mountains crumble to dust than Argentines and Chilians break the peace which, at the foot of Christ, the Redeemer, they have sworn to maintain."

The second Pan-American Conference at Mexico in 1902 recognized as part of Public International American Law the principles of the three conventions signed at The Hague on the 29th of July, 1899, and went still further. The delegates of ten of the republics signed a treaty of compulsory arbitration, obligating themselves to submit to the decision of arbitrators all controversies that existed or might arise among them, and which diplomacy could not settle; provided that, in the exclusive judgment of any of the interested nations, said controversies did not affect either the independence or the national honor, and they stipulated that these should not be considered as involved in controversies with regard to diplomatic privileges, boundaries, rights of navigation, and validity, construction and enforcement of treaties. Besides this, all the countries represented at the conference, including the United States of America, concluded a convention for the submission to arbitration of all claims for pecuniary loss or damage of sufficient importance which could not be amicably adjusted through diplomatic channels, in this way making distinct progress in the application of arbitration, realizing one of the high aims of the project of arbitration convention

submitted by Russia to The Hague Conference and eliminating a frequent source of disputes leading to ill feeling, especially between powerful and weak nations.

Shortly after the closing of the conference, Mexico put into practice its devotion to arbitration, submitting to The Hague Permanent Court its contentions with the United States in the long-pending case of the "Pius Fund of the Californias." It was the first case submitted to the tribunal, and it gave it life and prestige.

It was left to the third Pan-American Conference of 1906 to show to the world the union of the continent and the lofty and altruistic sentiments of the American people. The nations assembled at Rio Janeiro, ratified and extended the Convention of Arbitration of pecuniary claims and reaffirmed their adherence to the principle of arbitration, and to the end that so high a purpose should be rendered practicable they recommended that instructions were to be given to their delegates to the second Peace Conference of The Hague, to endeavor to secure by it the celebration of a general arbitration convention so effective and definite that, meriting the approval of the civilized world, it could be accepted and put in force by every nation.

But the culminating event of that assemblage was the visit of the Secretary of State of the United States, the Honorable Elihu Root. When the nations of America saw him rise, and heard his eloquent voice, they saw in him the great people that he represented, and heard the voice of law, of justice and of right, and it was not only Latin-America but the world that was thrilled by the message of fraternity, and no human speech has done more for the furtherance of peace and love among mankind. Hear him again and you will be proud of him as an American and all of us will be proud of him as a man: "We," he declared in the name of the United States of America, "wish for no victories but those of peace, for no territory except our own, for no sovereignty except the sovereignty of ourselves. We deem the independence and equal rights of the smallest and weakest member of the family of nations entitled to as much respect as those of the greatest empires, and we deem the observance of that respect the chief guarantee of the weak against the oppression of the

strong." And he continued: "We neither claim nor desire any rights or privileges or powers that we do not freely concede to every American republic. We wish to increase our prosperity, to expand our trade, to grow in wealth, in wisdom and in spirit, but our conception of the true way to accomplish this is not to pull down others and profit by their ruin, but to help all friends to a common prosperity and common growth, that we may all become greater and stronger together."

A few months afterwards when, thanks to the interest and good offices of President Roosevelt, "the recognized possessors of every foot of soil upon the American continent," as Mr. Root aptly puts it, were invited by the Emperor of Russia to The Hague Conference and were represented "with the acknowledged rights of equal sovereign States in the World Congress," it was Brazil, the cordial and magnificent republic of the South, with the ringing tones of Ruy Barbosa, who championed and vindicated the principle of juridical equality between the greatest and smallest nations, those of the new as well as of the old continent. It was he who unflinchingly and unswervingly maintained that "Sovereignty is the supreme elementary right of constituted and independent States, that sovereignty means equality, and that ideally and practically sovereignty is absolute and does not admit of classification."

The most visible gain in the cause of arbitration, made in the conference, was the substantial embodiment in a convention of the Drago Doctrine. The famous note of that statesman regarding the differences between Venezuela and Great Britain and Germany had raised the question of the compulsory collection of a public debt in which unscrupulous adventurers would use their governments as tools to reap unearned profits in their usurious dealings.

Doctor Drago sounded a clarion note warning the Republics of America to be alert at these possible aggressions and consequent occupation of their territory signifying the suppression or subordination of their governments. And showing the identity of the American mind he held, as the Secretary of State of the United States, Elihu Root, and the Brazilian, Ruy Barbosa, that: "among the fundamental principles of public international law

which humanity had consecrated, one of the most precious is that which decrees that all States, whatever be the force at their disposal, are entities in law, perfectly equal one to another, and mutually entitled, by virtue thereof, of the same consideration and respect."

But these were not the only voices of Latin-America which were raised in the second Peace Conference in the cause of equality, of peace and of fair play; and in Perez Triana, of Columbia, the defense of the right of self, preservation of the weak, the scathing condemnation of greed, the broad questions touching all that was for the welfare of humanity, had in him the most fervid of orators and the glowing and sure future of Latin-America its most enthusiastic and grandiloquent prophet.

With these spokesmen and such sentiments and ideals it was no wonder that Latin-America, as the distinguished president of the conference, M. de Nelidow, said, became a revelation to the world.

To its peace and progress, Latin-America is pledged. Some of its peoples have already happily passed the period of trial and experiment; they are approaching the leaders among the older nations; some day they are bound to forge ahead. Others unfortunately still struggle and suffer, but they are neither laggards nor cowards and hope and faith are with them. To these your sympathy and your love and your charity should go. The United States in their infancy gave them the protection of the Monroe Doctrine. In their hour of sorrow and distress, they encouraged them and would not profit by their failings or their misfortunes. Let the United States, to its imperishable glory, continue the unselfish policy enunciated in the still broader doctrine in which Elihu Root has expressed the feelings and genius of the American people: "Let us help each other to show that for all the races of men the liberty for which we have fought and labored is the twin sister of Peace and Justice."

The chairman then introduced the Honorable John Barrett, who spoke as follows:

MR. CHAIRMAN, YOUR EXCELLENCY, LADIES AND GENTLEMEN: While it is a rare privilege for anyone to address a gath-

ering of this kind, I esteem it a particular honor to be a participant in a program directed by one of the grand old men of this country, Honorable Wayne MacVeagh. I want you to understand, however, that I use that term "old" comparatively and advisedly. Old in my description, is a synonym of affection, not age. I have been looking over this audience and trying to find the secret of the splendid attendance of women, and I am really thinking that this young man is responsible for it.

It is a great privilege also to speak at the same table with the eminent minister of Cuba, a man, who has always been a valiant fighter for what is right and just in all Latin-America. How remarkable it is that in our own language he speaks to us, as if born in our own land. It is a great pleasure also to speak at the same table with such a woman as Mrs. Nathan. I am almost jealous that two men have separated me from her. I hope that later on she will speak on this program, and show us men that we are but children as after-dinner speakers.

I want to say to you to-night, as a representative gathering of people who are working for a new era in our history that today the sister republics of the United States are doing more for international arbitration than all the rest of the world put together. The twenty republics south of the United States are taking more practical and active steps for the absolute abolition of war than are any other group of nations upon the face of the earth. It is a most interesting fact that whereas The Hague Conference broke up without achieving what might be termed an actual progressive step towards international peace, the separate American republics, who are in the habit of going to war almost as an avocation, drew up in Washington in November and December of last year the first treaty of a group of nations in all history to agree that every question that might come between them should be arbitrated without recourse to arms. It is a step forward of which all the world should be proud; and when you think of these little countries doing this, it is another illustration of the fact that "a little child shall lead them."

I was pleased with the reference that Mr. Quesada made to the monument between Chili and Argentina. I went to the dedication of that unprecedented, incomparable monument, upon the

summit of the Andes. I have never seen anything that stirred the depths of my soul as did the ceremonies of the unveiling of a statue of the Lord Jesus Christ on the very summit of the Andes, 15,000 feet above the seas, on the dividing line between Chili and the Argentine. As the curtain was drawn away, in the presence of distinguished men from all over the world, it seemed as though the Christ Himself descended and hovered over it.

I want to tell you to-day, you who speak of Latin-America as a land of revolution, that four-fifths of the population of South America has known no revolution for a decade and a half, and to-day the influences of peace are gaining a stronger control. The idea is that property, educational and social development can only come through that process. They are gridironing their country with railroads, they are deepening their rivers and harbors, they are engaging upon gigantic enterprises. We do not stop here to think that Buenos Ayres has a population of 1,120,000, and is growing much faster than Philadelphia.

The final point I wish to bring out is this, and it is a salient fact in this movement for arbitration and peace, that if the United States as the nation of the western hemisphere, if Germany in Europe, and Japan in Asia, if these three nations were to meet together and say there should be no more war, there would never be another war. The influence of the United States is so great upon the western hemisphere that it would be followed by Latin-America. You know as well as I do that in Europe the key of the situation is held by the German Emperor, while in the Orient it is held by Japan. Therefore let us be thankful that public sentiment is being aroused in these sections of the world, so that the day may soon come when the controlling influences shall follow the example of Argentine and Chili, and we shall erect monuments all about the world which shall say, "May the world itself crumble to dust before the nations of the world shall break the peace which they have sworn to maintain at the feet of the Redeemer."

CHAIRMAN MACVEAGH: I have the great pleasure of presenting Mrs. Charles Newbold Thorpe.

Mrs. Thorpe said:

MR. CHAIRMAN, LADIES AND GENTLEMEN: What can a woman say, after such a speech as we have just listened to? I feel as if all the glittering generalities that a man could imagine have been given to us to-night, and we must come down a little to the ordinary, to specialize, so to speak.

There is an adage in the Orient which says, "Out of the West comes peace." Does it? To the minds of the vast majority of persons to-day I believe the idea of the Orient is synonymous with the idea of peace, the reasons for peace anyhow.

Now the opportunity of America is to bring peace to the world out of the West. Does it? Let me suggest a few instances or cases in which we might begin in this campaign of peace?

In the cause of peace we might alter our preconceptions of the alien. In the interest of peace something might be done with the press, when it cries, "War, War!" and there is no war. In Japan last summer, traveling up and down that country, I heard talk about the relations of that country with the United States. I failed to discover a single war note. I came home, and every paper in this country, nearly, was crying "War, war with Japan!" I was greatly shocked and saddened. I asked a Quaker girl of Philadelphia, who had married a Japanese man, now one of the most notable men of that great empire, if there was any war talk in the inner circles of Japan. She said, "No. I could curse my country for its war talk with Japan." That is pretty strong language, but that is how she felt.

Is there nothing to be done with the press under these circumstances? Would it not be better if we could cease speaking of "Japs,"—that we should not speak of Chinamen as "Chinks." In the interest of peace we should regulate our commerce, we should make that commerce an agent to bring peace to the world. But does it? I am happy to say that I am told that probably at the next Hague Conference they will pass a law making it illegal to lend nations money to make war.

I do say that with 450,000,000 Chinese, and 50,000,000 Japanese, and 12,000,000 Coreans, all of one blood, there might be a yellow peril; that the mills of the gods grind slowly, and that the lower part of the wheel is sure to be on top some day. Then let us fortify Pearl Harbor, that beautiful landlocked harbor which

is now the front door of the nation. I see that Congress has agreed to spend part of the \$8,000,000 that has been appropriated to the navy for the fortification of that harbor, and there is a heritage well worthy of the American love. Let us fortify Pearl Harbor and stop making faces at the Orient. Another thing—in the interest of peace let us nominate and elect Mr. Taft to the Presidency, because he knows the East.

Then let us put before the children of the public school this question in the interest of peace and proper respect for the alien. There is where it should begin.

But, ladies and gentlemen, it is very easy for us to talk in these halls of peace, and we may talk forever and accomplish nothing, unless with our inventions and our commerce, and with our educational methods, which is all that they want, we extend peace, and unless we ourselves live up to these Christian ethics that we profess, simply comprehended in the duty that is ours, as given in the commandment, "Love thy neighbor as thyself."

CHAIRMAN MACVEAGH: I take great pleasure in introducing to you the Rev. Walter Walsh, Dundee, Scotland.

Rev. Mr. Walsh said:

MR. TOASTMASTER, LADIES AND GENTLEMEN: It is nothing short of miraculous to see how the peace people of America have been represented among the business interests and local interests, and commercial interests, and last, but by no means least, the gospel interests and the educational interests, by the schools and colleges. It seems to me that you have got the whole of American civilization well in line to work out this mighty peace movement as the peacemakers.

I speak the truth when I say that we cannot do this kind of thing in the old world as you are doing it here. I am sorry to say it, yet it is the truth. We have not been able to impress on the minds of the business men and of the various interests in the old country these questions, as you have been able to do here. In speaking to the people in Scotland and England and Ireland and Wales—and you will notice that I refer to Scotland first—we are met with the suggestion that this movement is practically a movement of commerce, of business, and of the commercial af-

fairs of our country; and for the most part our people smile at this, as a movement instigated and promoted by amiable and harmless enthusiasts, and not to be taken very seriously. You, in this country, are taking the peace question seriously. I see no reason at all why you should not fill a great place in the family of nations, which is manifestly being watched by many of the people to-day with predictions that you are the great nation among the peace leaders of the world in a great league of peace.

The phrase, "The great league of peace," which was so clearly enunciated by the late Sir Campbell-Bannerman, originated in that great parliamentary gathering at Westminster two years ago, but which, alas! he has not lived to see completed. I think, from what I have seen since I have been in America, that America is destined to a great place of honor in the establishment of that league of peace, and in inaugurating that era of universal pacification for which we are all praying and working. I wish to tell you that I think that you in America have gotten beyond many of the old obsolete stupid notions about the military business. You see and hear about that great military expenditure and the enormous armaments, and know that they are merely the expression of a people's moral character, and if the people are brutal, belligerent, provocative, why, necessarily, they want big fighting bodies, and regiments to make good their position.

There is no objection to a great nation or to a strong nation. I remember sitting on the platform with John Morley—now Viscount Morley, and some of us are not happy about it—but that good and philosophic democrat, John Morley, in dealing with the question of the imperial successes of empire, said, "I am in favor, by all means, of the proposition," and then thrusting out that forefinger of his, in the way in which he pointed it towards his adversaries in debate, continued, "but not a pirate empire."

There is no reason why the American people should not be greater and bigger than they are. I don't like to hear people talk about the future destiny of the American people, and of their becoming a great world power; as I have read my history, America is now a great world power. There is a place in the family of nations for a great peacemaker, and that is your place by geographical situation of your country, by the conditions of your

people, and by the temperament of your people, and by your constitution and by the political instincts, and by all that has to do with liberty and national progress and international system, being the great peacemaker of the world is your heritage. It seems to me that you are mapped out, that you are destined by the power which presides over the destinies of nations, from your unique, splendid and unrivalled place, to be the leaders among the peace-making people of the world.

There used to be an old foolish question that we sometimes debated, whether a soldier could be a Christian. The proposition was whether a man who fought in battle and killed another man could ever get to heaven, and all that sort of thing.

There is a story of a Scotch boy who was reading the Bible during family worship. When he came across that verse in the book of Revelation; "Lo, a great wonder in heaven, a red dragon," the boy was more familiar with dragoons, and the word dragoon, than he was with the Chinese dragons, and he read thus: "Lo, a great wonder in heaven, a red dragoon." The father became excited, and said, "If you make a mistake like that again I will lick you. The word says, 'Lo, a great wonder in heaven, a red dragon,'" and again the boy read it, "The red dragoon," and the father started to give the boy his licks, according to promise. when the mother interfered and said, "Don't lick the laddie. Don't you know what the boy says is true; it *was* a great wonder to see a red dragon in heaven."

We are all discussing this subject, and I say to you that you are very much concerned indeed in abolishing war from this whole world, and the first and necessary preliminary is to abolish, or remove, the "red dragon" from this world. For was it not one of your great generals who said, "War is that place which Sydney Smith said it is not proper to mention in polite society?"

I am very glad indeed to see also that you are alive to the necessities of developing the natural resources of this almost illimitable and inexhaustible storehouse of nature, which prospers under your care. You are beginning at last to see that even the American continent will be developed by the thoughtfulness of those who, as I said in another place this afternoon, refuse to plunder their mother in that heedless and ruthless fashion. You

are setting yourselves to serving and developing the resources of this great continent as you have never done before, and that will accrue to national prosperity instead of despoiling your prosperity with war. You are placed on earth, not to exploit nations and to kill inferior people, but in developing commercial, agricultural and mineral resources, extending our shipping and other affairs, and thus making our own population strong and great and wholesome, and in this way extending helping hands of friendliness to all the other nationalities, little and great.

I have yet to learn that because a nation is little, therefore it is not entitled to equal privileges with the greatest. Because a little fellow may stand only four feet six in his stockings I infer that even in America he has the same rights as the biggest, brutalized giant that stands six feet seven in his boots. A little nation and a little people—the Filipino, the Pole, the Scot—all the little peoples of the earth, all who are organized and habituate in a distinctive place by reason of religion or character or geographical situation, or some peculiarity which stamps them as a homogeneous people, have exactly the same rights, whether they be heathen or whether they worship in the chancels of the world, as the biggest and greatest nation of them all.

We ought not to "count noses" any longer, as Carlyle put it. We ought to show that all the nations and all nationalities are entitled to their international rights and privileges, and their authority under local conditions, and that there should be extended to them the privilege of living together harmoniously. I see nothing impossible about such a program, even if it is going to be the "American plan" distinctively, not only in your own country, but also to be given out as object-lessons to all the other places of the earth.

Militarism is a great, huge institution, which absorbs all the juices of the earth, which takes all the riches and the glory and the splendor of national life, its treasure, its manhood, its genius, its mechanical and industrial interests and prostitutes them along channels which are destructive, and so perverts them into mischievous channels, instead of channels which are helpful and constructive. There is a story of a countryman of mine, who arrived in New York and there became ill. He was taken to a hospital,

and there he pined and pined from day to day and did not seem to get any better. They could not see what was the matter with him, and finally, knowing that he was a Scotchman, the doctor in charge said, "Let us try him with a bagpipe." They secured some one in New York with a bagpipe, and sent him into the corridors of the hospital, where he played all the chantries and all the pibrochs, and the next day the Scotchman was a bit better; and towards evening the bagpipe was again put into action, and after the piper left the Scotchman had improved so much that he started to walk around the hospital, and helped to attend to the other patients. The next day the piper again came around, and the Scotchman was almost completely well. The next week he was stronger than ever in his life, but, unfortunately, all the other patients died. (Great laughter.)

In proportion as you build up your military institutions, as you start out to make yourself great and strong on this question, in proportion as you make yourself strong in agriculture or commerce or education, by your inventions, and your social evolution, and your industry, instead of strengthening the military arm, you will be prosperous and healthy; but if you let all these things languish, and build up the military strength and power, your industries and your commerce and your schools and your progress will die.

CHAIRMAN MACVEAGH: We all knew that we were under obligation to Scotland, and we have a new sense of it to-night.

Ladies and gentlemen, we have with us a citizen of this State who has in recent years been always in the front of every ethical struggle, and I may venture to say that you will all be pleased to have a few words from the Hon. Henry C. Niles, of York, Pa.

Mr. Niles said:

MR. CHAIRMAN, LADIES AND GENTLEMEN: Our honored and beloved toastmaster said at the beginning of this dinner that this was to be a time of jollity and hilarity, by reason of the auspicious beginning of this Pennsylvania peace organization. I expected to share in that hilarity and that jollity. I don't now. I ought to feel, in the words of the old song, "like a morning star." But to be called by the autocratic authority of the toastmaster, with no

preparation, to speak on this great subject to this distinguished company, makes me feel more as if I was about to be hung. When our toastmaster called on me, I shook my head, but it did no good with Mr. MacVeagh. I was like a spoiled boy who was his mother's darling, who in the ordinary course of events in his life came finally to the scaffold. The sheriff had just taken the news to his mother, who was in the great city. She said, "Mr. Sheriff, it is no use; he has shaken his head, and when he does that he won't do it," but he did, and so do I, fearful of the punishment that will follow, in the displeasure of the toastmaster.

It is marvelous, my friends, how much misrepresentation, ignorance and prejudice there is in the community generally in regard to this subject that has brought us together. We have, in the manufacture and development of public opinion on this subject, a great work to do. When I was coming here a friend of mine said, "What's the use? Nothing can be done. These people are nothing but a lot of long-haired, unpractical reformers."

I wish that every man and woman in Pennsylvania could have heard the words that have been said at these meetings, could have listened to these arguments, and could have heard of these glorious ideals that we have had held before us during these three days. Then there would be no skepticism, either in the lowest or in the highest circles; skepticism would be as dead to those people as facts and arguments could make them. If not, they would have to be as stupid and unreasonable as that rustic who for the first time in his life attended a menagerie, and who saw for the first time in his life a camel. He examined him, and saw that wonderfully long neck, that absurd upper lip, those little fiendish eyes, and that great big, awkward spongy foot. That rustic shifted his quid of tobacco, spat, turned around, and said: "Shucks, there ain't no such animal." I say, there is no such thing as the possibility of universal peace unless the people have faith in it. Universal peace depends largely upon the faith of the people, and no more certainly than upon the faith of the people of this land. We ought to be not only more reasonable, but just as certain and just as childlike in our faith of the eventual dominance of justice, of right, and of equity in the world's affairs, as was that good clergyman, whose son took up the book of Gene-

sis and turned to that page which the clergyman intended to read at the next service. Being bent on mischief he took mucilage and stuck the leaves of the Bible at this particular page together. The clergyman at the service, without carefully examining, started to read the lesson, and he read that passage in regard to Noah: "And Noah, when he was an hundred and ten years old, took to himself a wife," and as he turned the page without looking, he continued to read, "an hundred and thirty cubits long and twenty cubits wide, and pitched without and within." He tipped his head to one side, turned back the page, and read again, "And Noah, when he was an hundred and ten years old, took to himself a wife" (then, turning the page, continued to read) "an hundred and thirty cubits long and twenty cubits wide, and pitched outside and in." He put back his glasses and said: "Dearly beloved, I never saw that in Holy Writ before, but my faith does not falter; I take it as proof of that other declaration of Holy Writ, that we are fearfully and wonderfully made."

That is the quality of faith that we ought to have, only a more reasonable and a higher kind of it. We need, in regard to this subject, and in regard to all subjects of civic virtue, a faith that will lead us to act and vote with God. It is a great privilege to be permitted to have had any part, no matter how small the part, in this great and good cause; it is bound to win. It may not win in our day, but whether in our day or some other day, there can be no greater satisfaction, no higher blessing, than to have some part in contributing to that glorious result.

We of America have our great part to do more than any other nation. Our traditions and our ideas put us on the side of universal peace. We have inherited the Ten Commandments with the whole world; we have inherited the Sermon on the Mount with all Christendom; we have as our choicest possession the Declaration of Independence, that until recently we supposed enunciated the principles of the inalienable rights of all men. We are the heirs, peculiarly, of all the ages, and

On our bowed heads the awful past
Has laid her sacred hands.
The future, with its portal fast,
Is waiting our supreme commands.

Will we obey? Will we follow? Will we do our part to bring the public opinion of our country into a state where we shall enter in and do God's work for the promotion of universal justice and of God's peace?

CHAIRMAN MACVEAGH: I will assume to express the hope that this splendidly successful congress will result in the formation of a permanent organization to champion this cause, which we have heard so eloquently described to-night. It is earnestly urged upon you all that you will give your adhesion to such a permanent organization, and that you will co-operate with the cause whenever you are approached on this subject.

And now again, with words of congratulation and with hearts of felicitation and of joy, happy in the great series of these great conference meetings, I bid you all good-night.

LETTERS OF REGRET

The following letters expressing sympathy with the objects of the Conference were received from persons unable to attend :

FROM REV. EDWARD EVERETT HALE.

WASHINGTON, D. C., May 9th, 1908.

MY DEAR SIR :

I regret extremely that I cannot be present in person at your Conference.

I agree with you in the belief that the last twelve months have been worthy of remembrance in all future history. No year since the world began has shown so many visible signs in the pacification of the world.

This is not the average view of the writers for the press. It is as true, as it always was, that the grasshoppers in the sunshine make more noise than the silent cattle ruminating in the shade. But in truth, every message, by wire or without wire, every mail-bag, every cargo, is making the world one world, instead of a great scrap-bag of a thousand tribes or nations.

Such meetings as yours, such treaties as the last year has ratified, such a Conference as that at The Hague, are simply so many proclamations to the men and women of to-day that the world has already become one world. The circulation of its life blood, through all the arteries and all the veins, is no longer a matter of speculation. The demonstration is complete, and we know that God has made of one blood all nations of mankind.

Truly yours,

EDWARD E. HALE.

FROM HON. ELIHU ROOT.

May 14th, 1908.

STANLEY R. YARNALL, Chairman :

Dear Sir : I regret my inability to be present at the meeting of the Pennsylvania Arbitration and Peace Conference, to be held

in Philadelphia from the 16th to the 19th of May, and at the banquet on the evening of the 19th.

I am very sure that the results following your admirable program will be most useful. The true work of promoting peace is not so much a matter of diplomacy as it is a matter of education. The great obstacle to the peaceful settlement of most international disputes is to be found in popular intolerance of concession. Peaceable settlement usually involves mutual concession, yet when two international negotiators are called upon to make the concessions necessary to settlement, they both have to face the probability of popular condemnation if they give up anything. It is ordinarily much more popular to bring on a war than it is to avert one. When the people of civilized countries have been educated up to the spirit of fairness and just consideration for the rights of others, so that the situation is reversed, the danger of war will be, in a great measure, ended.

Very sincerely yours,

ELIHU ROOT,
Secretary of State.

FROM MR. ANDREW CARNEGIE.

NEW YORK, April 30th, 1908.

STANLEY R. YARNALL, Chairman:

Dear Sir: I have yours of April 22d, and deeply regret that I shall be unable to attend your forthcoming Conference.

Never have the friends of peace received a louder call to protest against the departure from the policy of the fathers of the republic. The republic has achieved her greatest victories of peace when she was weakest in military and naval power. She had no enemies, nor has she enemies to-day. No nation has anything to gain by attacking us. No nation can do so without bringing serious loss upon itself.

I think we men of peace should endeavor to bind our govern-

ment to offer to any adversary peaceful settlement by arbitration. If declined, it would make our cause holy, and were we attacked, we should rise as one man in defense to repel attack.

Very truly yours,

ANDREW CARNEGIE.

FROM HON. GEORGE GRAY.

WILMINGTON, Delaware, May 18th, 1908.

STANLEY R. YARNALL, ESQ., Chairman:

My Dear Sir: I have just returned from Washington, and find yours of the 13th inst. I regret very much my inability to be present at the Pennsylvania Arbitration and Peace Conference, but, as I have already told you, my engagements are such as to make it impossible.

The interest taken in your Conference is an inspiring evidence of the progress of the cause of international arbitration, and of the steady growth of a wholesome public opinion in its favor, upon which its ultimate success must depend. There must be no intermission in our efforts, but we must restrain our expectations as to results, within bounds, as disappointment always reacts injuriously upon hopes that are too sanguine. The real progress of civilization has never been by leaps and bounds, and human endeavor must rely upon the slower processes of time, to overcome the habits and prejudices that have been ingrained in human character since the dawn of history. We have every reason to be encouraged with the proceedings of the last Hague Conference. Other conferences must soon follow, to record the advancement of the great thought that international arbitration may be brought into the realm of legality, and in time become as much a matter of course as are the settlement of controversies between the states by the arbitral tribunal of the Supreme Court.

Wishing abundant success to the deliberations of the Conference, I remain yours very truly,

GEORGE GRAY.

FROM HON. JAMES BRYCE.

BRITISH EMBASSY, WASHINGTON, D. C.

MY DEAR SIR:

I much regret that my duties in Washington render it impossible for me to have the pleasure of being with you in Philadelphia during the forthcoming meeting of your Pennsylvania Peace and Arbitration Association. Though I should gladly have borne my part in commending the excellent cause which brings you together, I cannot but feel that it is now not upon governments or their representatives that the progress of that cause depends nearly so much as it does upon popular sentiment. It is for the people to indicate their resolve to see peace maintained and disputes amicably settled. It is for the people to visit with their displeasure the attempts that are too frequently made to turn some cause of difference, perhaps in itself trivial, into a source of bitterness and exasperation. This will, I trust, be the future attitude both of the people of the United States and of the people of Britain and Canada towards one another. Needless to tell you that both your government and my own have been doing their part as the record of the treaties signed within the last six weeks indicates; and I gladly bear witness to the cordial good-will your President has displayed, and to the admirable spirit in which the negotiations on your side have been conducted by your distinguished Secretary of State.

Believe me, with all good wishes for a successful meeting, which shall rouse and influence public opinion still further, faithfully yours,

JAMES BRYCE.

FROM BARON KOGORO TAKAHIRA, AMBASSADOR
FROM JAPAN.

(Telegram.)

WASHINGTON, D. C., May 18th, 1908.

DIMNER BEEBER, ESQ., Chairman Banquet Committee:

I regret exceedingly that certain official duties which I am unexpectedly called upon to attend personally for these few days will prevent my presence at your banquet to-morrow evening. I

am sure you will be convinced of unavoidableness of my absence when I tell you some day how imperatively my presence here was required. My regret is all the more unbounded because of cordiality of invitations from many friends of the Conference, as well as from yourself. I wish you great success for your banquet.

TAKAHIRA.

FROM HON. SHELBY M. CULLOM.

United States Senator from Illinois; Chairman of the Senate Committee on Foreign Affairs.

May 18th, 1908.

DR. L. S. ROWE, American Academy of Political and Social Science, Philadelphia:

MY DEAR DR. ROWE: I regret exceedingly that it will be impossible for me to attend the banquet given by the Pennsylvania Peace Society to-morrow evening. Congress is about to adjourn, and I cannot very well leave here, even for a very short time, during the few closing days of the session.

Your society and the advocates of peace have reason for very great satisfaction over the progress which has attended the peace movement during the past few years. This movement in the direction of arbitration has been a most important event of the beginning of this twentieth century. The United States has ratified, during the present session, a greater number of treaties, and treaties of greater importance in the interest of peace, than during any previous session in our history.

The President of this Republic suggested the second Peace Conference, and it was peculiarly fitting that we should be the first among all the nations of the world to ratify the treaties negotiated at that conference.

I regard the second Conference of Peace, held at The Hague, one of the most important events in the world's history. It was one of the most important events, because for the first time the representatives of all the nations gathered together and for months discussed problems of international law and questions of mutual interest to all, and the result of the conference, embodied

in thirteen conventions, presents "the greatest advance ever made at any single time toward reasonable and peaceful regulations of international conduct."

Not only did the Senate ratify The Hague treaties during the present session, but we ratified separate, distinct arbitration treaties with France, Great Britain, Norway, Japan, Italy, Mexico, Portugal, The Netherlands, Sweden and Switzerland. These treaties have been termed a world treaty. They are all similar in terms, and similar to the treaties which the European nations have been negotiating among themselves. The existence of treaties of this kind among the nations is of great significance, as this chain of treaties, extending around the world, has a practical effect of a joint treaty to which all the nations are parties.

I regard these treaties as of very great importance. It is of much greater importance that all the nations of the earth make a little advance together in the same mind than it is to have one or two nations go ahead and leave the others behind. A system of arbitration must be built up gradually like the judicial system. The only way of building up a system of arbitration, where there will be real impartiality, is by getting a little steady advance by the different nations, and gradually we will obtain a system of international judicial tribunals, with a body of precedents, to govern the relations between the different independent nations of the world.

It is in this respect that these individual arbitration treaties are of so much importance.

We have ratified during the present session of the Senate many other treaties of importance—a treaty settling the boundary for 3,000 miles between the United States and Canada, fishery treaties, extradition treaties, naturalization treaties, all in the direction of bringing us into closer and more intimate relations with other nations, and removing, wherever possible, causes of conflict.

Secretary Root is entitled to much of the credit of what has been accomplished within the past few days in the interest of peace and arbitration. He is a great constructive statesman. I endorse and emphasize the tribute which the President paid to him in his address a few days ago.

Adams, Jefferson, Randolph, Marshall, Madison, in our early history, Webster, Clay, Calhoun, of a later date, Evarts, Seward, Blaine and Hay, in my time, have all filled the high office of Secretary of State. Their names will go down in history among the names of the greatest men of the Republic. Intellectually Elihu Root is not inferior to any of them. Measured by practical results, he has probably accomplished more during his incumbency of the office than any of his predecessors.

Expressing my appreciation for the honor of being invited to attend your banquet, and regretting that I find it impossible to be with you to-morrow evening, I remain sincerely yours,

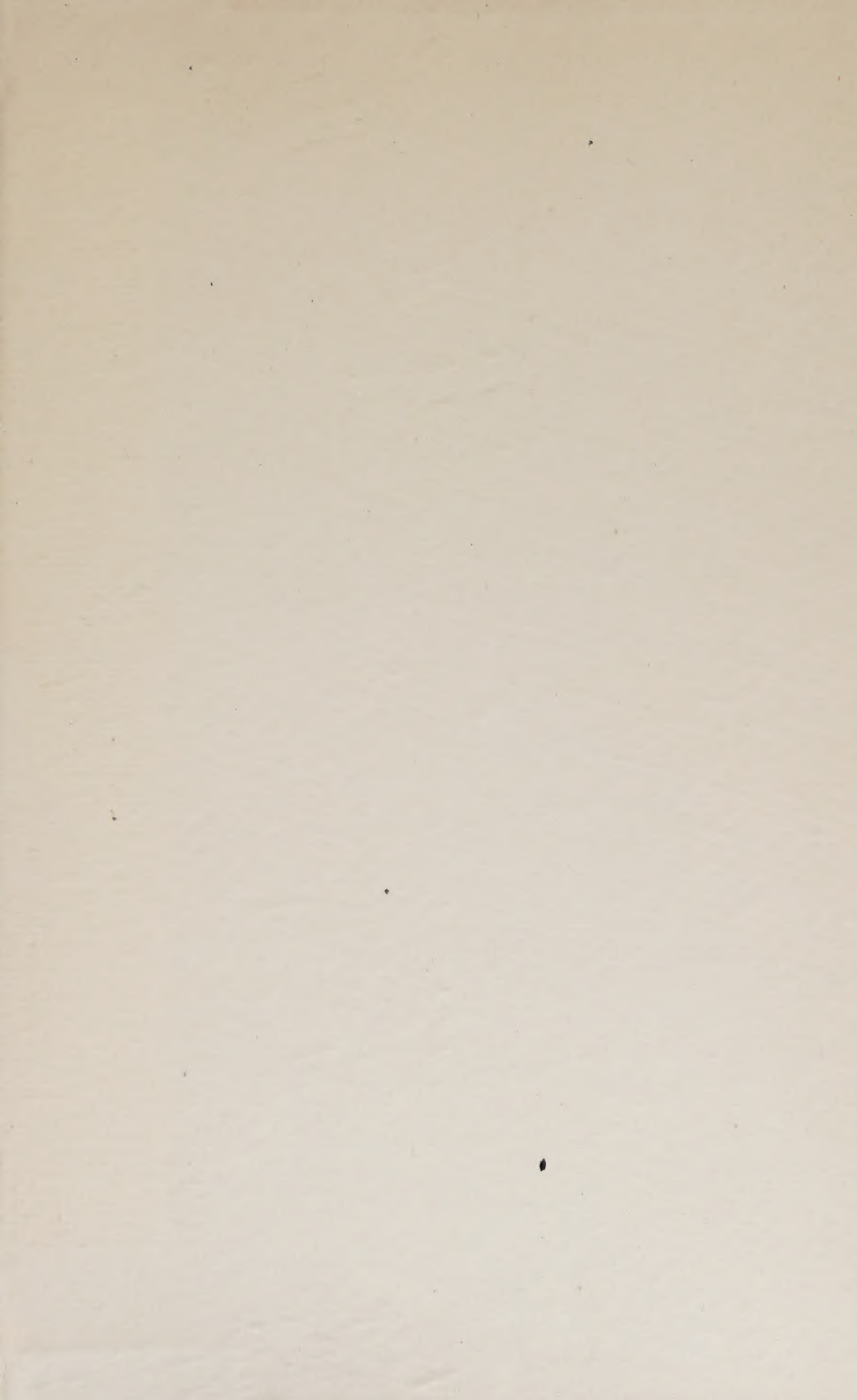
SHELBY M. CULLOM.

RESOLUTIONS ADOPTED BY THE PENNSYLVANIA CON-
GRESSIONAL DELEGATION MARCH 12th, 1908.

WHEREAS, The solution of the problem of international relations by means of the establishment of permanent tribunals for the administration of right and justice between nations by peaceful means, is one of the most cherished aims and traditions of our American diplomacy; therefore be it

RESOLVED, That the Senators and Representatives of Pennsylvania in conference assembled, hereby endorse the proposed State Conference to consider the results of the Second Hague Conference and to formulate propositions to be submitted to the Third Hague Conference.

BE IT FURTHER RESOLVED, That we commend the plans for the proposed Pennsylvania State Conference to the people of our Commonwealth and pledge our assistance in carrying these plans into effect.



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